

IN RE: PETITION FOR SPECIAL HEARING \* BEFORE THE  
NEC cor. U.S.Rt. 40 (Balto.  
Nat'l Pike) & Leslie Avenue \* ZONING COMMISSIONER  
6200 Baltimore National Pike  
1st Election District \* OF BALTIMORE COUNTY  
1st Councilmanic District  
Legal Owner: Joel Finkelstein \* Case No. 95-217-SPH  
Andrew Sandler & S.G. Gann  
Contract Purchaser: Taco Bell \*  
Corporation, Petitioner  
\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Hearing for the property located at 6200 Baltimore National Pike in Catonsville. The Petition is filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations (BCZR) and Section 26-172(a) of the Baltimore County Code. The Petitioner seeks the approval of a waiver from Divisions 3, 4 and 5 of the Baltimore County Development Regulations for the proposed development on the subject site.

Appearing on behalf of the Petitioner was John R. Heinrichs, the professional engineer who prepared the site plan, Petitioner's Exhibit No. 1. The Petitioner was represented by G. Paige Wingert, Esquire. There were no Protestants or interested persons present.

Testimony and evidence offered by the Petitioner is that the subject site is approximately 1.137 acres in gross area and is zoned B.L. The property fronts U.S. Route 40 (Baltimore National Pike). The property also abuts Cummings Avenue on the east side and Leslie Avenue on the west side. The property is located along an intensively developed commercial/business strip along Baltimore National Pike, not far from the Baltimore Beltway(I-695). Further testimony offered was that the site is proposed for development with a Taco Bell Fast Food Restaurant. Presently, the site is improved with an automobile service center building. The Petitioner has received a limited exemption from the development plan

ORDER RECEIVED FOR FILING

Date

By

MICROFILMED

approval process. Therefore, this matter did not come before this office for a Hearing Officer's hearing pursuant to Section 26-206 of the Baltimore County Code.

However, Section 26-172 of the Code allows the Hearing Officer to grant waivers from Divisions 3, 4, and 5 of the Baltimore County Development Regulations at the request of the Department Director. In this case, the Petitioner has sought such a waiver and a favorable recommendation on that request has been issued by the Department of Public Works (DPW) (See Petitioner's Exhibit No. 2). The specific waiver sought relates only to full improvements which would otherwise be necessary on the Leslie Avenue side of the property. As the site plan shows, the Petitioner will improve the frontage of the property along Baltimore National Pike and the west side of the property along Cummings Avenue. However, in that there will be no vehicular access from Leslie Avenue, the developer proposes a waiver of the usual Public Works standards which would require significant upgrading and widening of Leslie Ave. DPW supports this request for so long as the developer agrees to: (1) a widening of the road from 19 ft. to 24 ft. on the Taco Bell side of Leslie Avenue, (2) an extension of the curb return and gutter to a distance of 60 ft. from the edge of the pavement on Route 40, (3) the installation of additional plantings and landscaping along the strip of property on that side of the site, and (4) construction of a 25 ft. paved taper from the paved end of the new widening to the existing paved width. The Petitioner has agreed to these requirements.

Based on the testimony and evidence offered, all of which was uncontradicted, I find that the size, scope and nature of the proposed development does not justify strict compliance with the Public Works standards at issue, that a waiver of same would be within the scope, purpose and intent of these regulations and that all other County laws, ordinances

ORDER RECEIVED FOR FILING

Date

1/27/95

By

M. G. G. G.

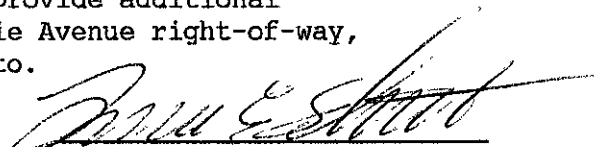
MICROFILM

and regulations have been complied with. Therefore, the waiver should and will be granted. To deny the waiver would be manifestly unfair to the developer.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 27th day of January, 1995 that, pursuant to the Petition for Special Hearing, approval of a waiver from Divisions 3, 4, and 5, of the Baltimore County Development Regulations, pursuant to Section 26-172(a) of the Baltimore County Code, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. The Petitioner shall be required to widen Leslie Avenue to 24 ft. along the entire frontage of its property.
3. The Petitioner shall provide curb and gutter around the fillet and extending approximately 48 ft. up Leslie Avenue measured from the flow line.
4. The Petitioner shall construct a 25 ft. paved taper from the end of the new paved widening to the existing paved width.
5. The Petitioner shall provide additional landscaping along the Leslie Avenue right-of-way, as shown on Exhibit 1 hereto.

  
LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES/mmn

RECEIVED  
JAN 31 1995  
BALTIMORE COUNTY

1/27/95  
Ch. Gorch  
Dets  
By

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



Suite 112 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

January 27, 1995

G. Paige Wingert, Esquire  
Venable, Baetjer and Howard, LLP  
210 Allegheny Avenue  
P.O. Box 5517  
Towson, Maryland 21285-5517


RE: Case No. 95-217-SPH  
Petition for Special Hearing  
Location: 6200 Baltimore National Pike  
Legal Owners: Joel J. Finkelstein, et al  
Contract Purchaser: Taco Bell Corp.

Dear Mr. Wingert:

Enclosed please find the decision rendered in the above captioned case. The Petition for Special Hearing has been granted, with restrictions, in accordance with the attached Order.

In the event any party finds the decision rendered unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Appeals Clerk at 887-3353.

Very truly yours,

  
LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES:mmn  
encl.

cc: Mr. Joel J. Finkelstein  
12 Branchwood Court  
Baltimore, Md. 21208

cc: Messrs. Andrew S. Sandler & Stanford G. Gann  
Mercantile Bldg., Su 900, 2 Hopkins Plaza, Balto.Md. 21201

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# Petition for Special Hearing

95-217-SPH

to the Zoning Commissioner of Baltimore County

for the property located at 6200 Baltimore National Pike

which is presently zoned BL

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

a waiver from Divisions 3, 4, and 5 of the Baltimore County Development Regulations pursuant to Section 26-172(a) Baltimore County Code.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

Taco Bell Corporation

(Type or Print Name)

By: Bonnie Vancheri

Signature Bonnie Vancheri

620 Herndon Parkway, Suite 200

Address

Herndon, Virginia 22070

City

State

Zipcode

Attorney for Petitioner:

Robert A. Hoffman

(Type or Print Name)

Venable, Baetjer & Howard

210 Allegheny Avenue

494-6200

Signature

Towson, Maryland 21204

Address

Phone No.

City

State

Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

Joel J. Finkelstein

12 Branchwood Court, Baltimore, MD 21208  
484-5030

Andrew S. Sandler

Mercantile Building, Suite 900

2 Hopkins Plaza, Balto., MD 21201 (539-3700)

Stanford G. Gann

Mercantile Building, Suite 900

2 Hopkins Plaza, Balto., MD 21201 (539-3700)

Name, Address and phone number of representative to be contacted.

Robert A. Hoffman

Name

210 Allegheny Ave., Towson, MD 21204

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates \_\_\_\_\_ Next Two Months

ALL

OTHER

REVIEWED BY:

DATE

**DROP OFF**  
**No REVIEW**  
**12-16-94**  
**UCR**



**MICROFILMED**

**CERTIFICATE OF POSTING**  
**ZONING DEPARTMENT OF BALTIMORE COUNTY** 95-217-5PH  
Towson, Maryland

District: 1ST Date of Posting: 12/27/94  
Posted for: Special Hearing  
Petitioner: Toro Bell Corp & Leo J. Finkolstein, et al  
Location of property: 6200 Balto. Nat. Pk., NE corner Leslie Ave  
Location of Signs: Facing road way, on property being zoned  
Remarks: \_\_\_\_\_  
Posted by: M. Stokely Date of return: 12/30/94  
Signature  
Number of Signs: 1

# NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse at Washington Avenue, Towson, Maryland 21204 as follows:

Case #88-247-SBH

(Item 210)

6200 Baltimore National Pike

NEO US Route 40 (Baltimore National Pike) and Leslie Avenue

1st Election District

1st Councilmanic

Legal Owner(s):

Joel J. Finkelstein,

Andrew S. Sandler, and

Stanford G. Gann

Contract Purchaser(s):

Taco Bell Corporation

Hearing: Friday,

January 20, 1995 at

10:00 a.m. in Rm. 106,

County Office Building.

Special Hearing to approve a waiver from Divisions 3, 4, and 5 of the Baltimore County Development Regulations.

LAWRENCE E. SCHMIDT

Zoning Commissioner for

Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Call 887-3353.

(2) For information concerning the file and/or hearing, Please Call 887-3391.

12/30/94 December 29

# CERTIFICATE OF PUBLICATION

TOWSON, MD., Dec. 29, 1994

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Dec 29, 1994.

THE JEFFERSONIAN,

*A. H. Harrison*

LÉgal AD. - TOWSON

~~Publication~~

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Baltimore County  
Zoning Administration &  
Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

receipt

95-217-SPK

Account: R-001-6150

Number 216

Date 12/16/94

DROP-OFF — NO REVIEW

#040 - SPECIAL HEARING ----- \$250.00

#080 - SIGN POSTING ----- 35.00

TOTAL ----- \$285.00

Legal Owner: Joel J. Finkelstein & Andrew S. Sandler & Stanford G. Gann

Contract Purchaser: Taco Bell Corporation

6200 Baltimore National Pike

Zoning: B.L.

Acreage: 28,675 square feet

District: 1c1

Attorney: Robert A. Hoffman

Check From: Venable, Baetjer & Howard

MICROFILMED

01AD1H0162ACCRCC

\$285.00

BA 0009:09AM12-19-94

Please Make Checks Payable To: Baltimore County

Cashier Validation

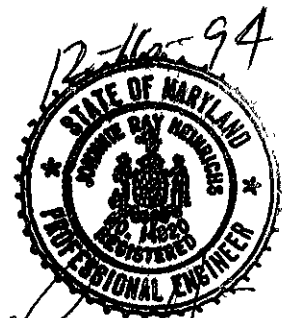


**DESCRIPTION TO ACCOMPANY PETITION  
FOR SPECIAL HEARING FOR A WAIVER REQUEST****6200 BALTIMORE NATIONAL PIKE  
CATONSVILLE, MARYLAND**

**BEGINNING** for the same at a point being the intersection of the Easternmost Right-of-way line of Leslie Ave., (50 feet wide), as shown on Baltimore County Drawing No. HRW 57 - 048 - A, recorded among the Land Records of Baltimore County, Maryland in Liber 5227 at folio 579, with the Northernmost Right-of-way line of the Baltimore National Pike (150 feet wide); thence binding on said Northernmost Right-of-way line of the Baltimore National Pike

- 1) 194.81 feet along a curve to the left, having a radius of 3,744.72 feet and a chord bearing North 83° 39' 09" East 194.79 feet, to a point on the Westernmost Right-of-way line of Cummings Ave., (35 feet wide), as shown on the Baltimore county Right-of-way Plat RW 88-057-1, recorded among the Land Records of Baltimore County, Maryland in Liber 8111 at Folio 203, thence binding on said Westernmost Right-of-way line of Cummings Ave.
- 2) North 04° 22' 20" East 134.00' to a point; thence continuing with the Westernmost Right-of-way of Cummings Ave. and binding on the widening strip acquired by Baltimore County as shown on RW 88-057-1, recorded among the Land Records of Baltimore County, Maryland in Liber 8111 at Folio 203, the following two courses
- 3) South 83° 03' 52" West, 5.10 feet to a point; thence
- 4) North 04° 22' 20" East 16.00 feet to a point on the Southernmost line of a plat entitled "Bensky Property," said plat being recorded in Plat Book S.M. 55 at folio 142; thence running with and binding on said line, as now surveyed
- 5) South 83° 03' 52" West, 112.88 to a point at the end of said Southernmost line of the "Bensky Property," thence
- 6) South 84° 33' 18 West, 76.82 feet to the aforementioned Eastern Right-of-way of Leslie Ave.; thence running with and binding on said Eastern Right-of-way line
- 7) South 04° 22' 36" West, 150.00 feet to the point of beginning

**CONTAINING 28,675 square feet or 0.658 acres of land more or less.**



*VERIFIED*

TO: PUTUXENT PUBLISHING COMPANY  
December 28, 1994 Issue - Jeffersonian

Please forward billing to:

Robert A. Hoffman, Esq.  
Venable, Baetjer & Howard  
210 Allegheny Avenue  
Towson, Maryland 21204  
410-494-6200

---

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in  
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204  
or  
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-217-SPH (Item 216)  
6200 Baltimore National Pike  
NEC US Route 40 (Baltimore National Pike) and Leslie Avenue  
1st Election District - 1st Councilmanic  
Legal Owner(s): Joel J. Finkelstein, Andrew S. Sandler, and Stanford G. Gann  
Contract Purchaser(s): Taco Bell Corporation  
HEARING: FRIDAY, JANUARY 20, 1995 at 10:00 a.m. in Room 106, County Office Building.

Special Hearing to approve a waiver from Divisions 3, 4, and 5 of the Baltimore County Development Regulations.

LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

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Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

DECEMBER 22, 1994

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204  
or

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-217-SPH (Item 216)

6200 Baltimore National Pike

NEC US Route 40 (Baltimore National Pike) and Leslie Avenue

1st Election District - 1st Councilmanic

Legal Owner(s): Joel J. Finkelstein, Andrew S. Sandler, and Stanford G. Gann

Contract Purchaser(s): Taco Bell Corporation

HEARING: FRIDAY, JANUARY 20, 1995 at 10:00 a.m. in Room 106, County Office Building.

Special Hearing to approve a waiver from Divisions 3, 4, and 5 of the Baltimore County Development Regulations.

  
Arnold Jablon  
Director

cc: Joel E. Finkelstein, et al  
Taco Bell Corporation  
Robert A. Hoffman, Esq.

- NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.  
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

RECORDED



Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

January 13, 1995

Robert A. Hoffman  
210 Allegheny Avenue  
Towson, Maryland 21204

RE: Item No.: 216  
Case No.: 95-217-SPH  
Petitioner: J. Finkelstein, et al.

Dear Mr. Hoffman:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by, the Office of Zoning Administration and Development Management (ZADM), Development Control Section on December 16, 1994.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.  
Zoning Supervisor

WCR/jw  
Attachment(s)

*[Faint handwritten note or signature]*



BALTIMORE COUNTY, MARYLAND  
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director      DATE: Jan. 4, 1995  
Zoning Administration and Development Management

FROM: *Dub* Robert W. Bowling, P.E., Chief  
Developers Engineering Section

RE: Zoning Advisory Committee Meeting  
for January 3, 1995  
Item No. 216

The Developers Engineering Section has reviewed the subject zoning item. This site is subject to the schematic landscape plan previously submitted.

See correspondence dated December 1, 1994 from Mr. Thomas Hanner, Acting Director of Public Works to Arnold Jablon, Director of Zoning Administration and Development Management, addressing the required widening of Leslie Avenue to 24 feet.

RWB:sw

*10/10/95*

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Zoning Administration &  
Development Management

FROM: Pat Keller, Director  
Office of Planning and Zoning

DATE: January 3, 1995

SUBJECT: 6200 Baltimore National Pike

INFORMATION:

Item Number: 216  
Petitioner: Taco Bell Corporation, Contract Purchaser  
Property Size: 1.13 acres  
Zoning: BL  
Requested Action: Special Hearing  
Hearing Date:     /    /    

SUMMARY OF RECOMMENDATIONS:

Based upon an analysis of the information provided, staff defers to the position of the Department of Public Works regarding the subject request.

Prepared by: Jeffrey W. Long

Division Chief: Carol Kerns

PK/JL:lw

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Baltimore County Government  
Fire Department



700 East Joppa Road Suite 901  
Towson, MD 21286-5500

(410) 887-4500

DATE: 12/22/94

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF DEC. 27, 1994.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,  
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 208, 209, 210, 211,  
212, 214, 215 AND 216.

RECEIVED

JAN 3 1995

ZADM

REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

MICROFILMED

BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT  
INTER-OFFICE CORRESPONDENCE

TO: ZADM

DATE: 1/12/95

FROM: DEPRM  
Development Coordination

SUBJECT: Zoning Advisory Committee  
Agenda: Dec. 27, 1994

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 208  
210  
212  
213  
214  
215  
216

LS:sp

LETTY2/DEPRM/TXTSBP

RECEIVED 1/12/95



Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

January 5, 1995

Robert A. Hoffman, Esquire  
Venable, Baetjer and Howard  
210 Allegheny Avenue  
Towson, MD 21204

RE: Preliminary Petition Review  
Item #216; Case #95-217-SPH  
Legal Owner: Joel J. Finkelstein &  
Andrew S. Sandler & Stanford G.  
Gann  
Contract Purchaser: Taco Bell Corp.  
6200 Baltimore National Pike  
1st Election District

Dear Mr. Hoffman:

At the request of the attorney/petitioner, the above referenced petition was accepted for filing without a final filing review by the staff. The plan was accepted with the understanding that all zoning issues/filing requirements would be addressed. A subsequent review by the staff has revealed unaddressed zoning issues and/or incomplete information. The following comments are advisory and do not necessarily identify all details and inherent technical zoning requirements necessary for a complete application. As with all petitions/plans filed in this office, it is the final responsibility of the petitioner to make a proper application, address any zoning conflicts and, if necessary, to file revised petition materials. All revisions (including those required by the hearing officer) must be accompanied by a check made out to Baltimore County, Maryland for the \$100.00 revision fee.

These comments are not intended to address any individual site standards for bulk or parking, etc.

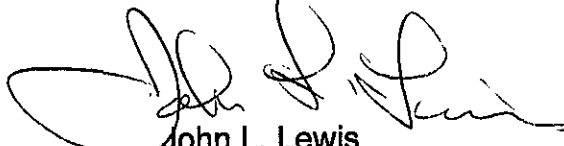
1. No title or authorization for Bonnie Vancheri signing for Taco Bell.
2. The property outline and zoning map number is not shown on the provided 1" = 200' scale partial zoning map copy.
3. The description does not match the plan.



Robert A. Hoffman, Esquire  
January 5, 1995  
Page 2

If you need further information or have any questions, please do not hesitate to contact me at 887-3391.

Very truly yours,



John L. Lewis  
Planner II

JLL:scj

Enclosure (receipt)

cc: Zoning Commissioner

MICROFILMED

Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

January 25, 1995

Robert A. Hoffman, Esquire  
210 Allegheny Avenue  
Towson, Maryland 21204

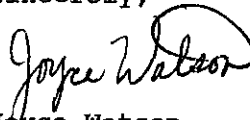
RE: Case No. 95-217-SPH  
Petitioner: J. Finkelstein

Dear Mr. Hoffman:

Enclosed are copies of comments received from SHA on January 23, 1995 for the above-referenced case.

If there are any questions, please do not hesitate to call me at 887-3391.

Sincerely,

  
Joyce Watson

/jw

Enclosure





**Maryland Department of Transportation  
State Highway Administration**

O. James Lighthizer  
Secretary  
Hal Kassoff  
Administrator

January 19, 1995

Ms. Joyce Watson  
Zoning Administration and  
Development Management  
County Office Building  
Room 109  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Re: Baltimore County  
US 40  
6200 Baltimore National Pike  
Taco Bell  
Special Hearing  
Item # +216 (WCR)  
Mile Post 1.79

Dear Ms. Watson:

This letter is in response to your request for our review of the referenced item.

In previous reviews of both a limited exemption and variance request for the referenced development, we indicated that improvements to the property frontage along US 40 would be required to include entrance reconstruction, curb and gutter, etc. as a condition of plan approval.

We have recently received a completed permit application and surety from the developer, in order to issue the required access permit necessary to construct the aforementioned improvements indicated on the current plan.

Therefore, we have no objection to approval to the special hearing request subject to our aforementioned comments.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

h Ronald Burns, Chief  
Engineering Access Permits  
Division

BS/es

My telephone number is 410-333-1350 (Fax# 333-1041)

Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
6200 Baltimore National Pike, NEC US		
Route 40 (Baltimore National Pike)	*	ZONING COMMISSIONER
and Leslie Avenue, 1st Election		
District, 1st Councilmanic	*	OF BALTIMORE COUNTY
Joel J. Finkelstein, et al.	*	CASE NO. 95-217-SPH
Petitioners		
* * * * *		

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

*Peter Max Zimmerman*  
 \_\_\_\_\_  
 PETER MAX ZIMMERMAN  
 People's Counsel for Baltimore County

*Carole S. Demilio*  
 \_\_\_\_\_  
 CAROLE S. DEMILIO  
 Deputy People's Counsel  
 Room 47, Courthouse  
 400 Washington Avenue  
 Towson, MD 21204  
 (410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 6<sup>th</sup> day of January, 1995, a copy of the foregoing Entry of Appearance was mailed to Robert A. Hoffman, Esquire, Venable, Baetjer and Howard, 210 Allegheny Avenue, P. O. Box 5517, Towson, MD 21204, attorney for Petitioners.

*Peter Max Zimmerman*  
 \_\_\_\_\_  
 PETER MAX ZIMMERMAN

210 Allegheny Avenue  
Post Office Box 5517  
Towson, Maryland 21285-5517  
(410) 494-6200, Fax (410) 821-0147

OFFICES IN

MARYLAND  
WASHINGTON, D.C.  
VIRGINIA

**VENABLE**  
ATTORNEYS AT LAW

Direct Dial No.  
(410) 494-6203

December 16, 1994

W. Carl Richards, Zoning Supervisor  
Baltimore County Office of Zoning  
Administration and Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Re: - Petitioner: Taco Bell  
- Location: 6200 Baltimore National Pike  
- Subject: Petition for Special Hearing to Approve  
Request for Waiver from Public Works Standards

Dear Mr. Richards:

In accordance with the recently-adopted policy concerning waiver requests (see copy of Memo from Don Rascoe, dated 11/17/94), we are representing Taco Bell, contract purchaser of the above-referenced property, with regard to their waiver request attached hereto and containing the following:

- (1) Special Hearing Petitions (3);
- (2) Zoning Descriptions (3);
- (3) 200' Scale Zoning Map for the subject site (1);
- (4) Plats to Accompany Petition for Zoning Variance (12);
- (5) a check in the amount of \$285.00 to cover the requisite filing and posting fee.

We believe all the documents necessary to file this petition are attached. We would appreciate, however, if you or Sophie could give us a call as soon as possible to confirm that the package is complete and to provide us with the assigned item number. Of

MICROFILMED

**VENABLE**  
ATTORNEYS AT LAW

W. Carl Richards  
December 16, 1994  
Page 2

course, should anything be missing, please do not hesitate to give us a call.

Yours truly,

*G. Paige Wingert*  
G. Paige Wingert

GPW/dok  
enclosures

cc: Bonnie Vancheri, Construction Mgr.  
Carole S. Gould, Esq.  
Donald T. Rascoe, Balto. County Dev't. Mgr.  
John R. Heinrichs, P.E.  
Robert A. Hoffman, Esq.

RICHARD5.GPW

RECEIVED  
DEC 17 1994

**Don Rascoe**

11-17-94

**To:** Arnold Et All PMs; Bob Bowling; Carol McEvoy  
**Subject:** Waiver of Public Works Hearing Schedule

As you will recall, we have decided to set a monthly schedule before the hearing officer to consider requests for waivers of public works standards. Previously, the recommendation went directly from the DRC to the Director, Department of Public Works and the waiver was either granted or denied at that point.

Now the process will be that requests come in as before, via ZADM, they will go to the DRC and a recommendation will be made by the DRC to the Director of Public Works. The Director will decide to recommend approval or denial. If the recommendation is for denial, the waiver request dies at that point. If the Director of Public Works recommends granting the waiver, that recommendation will be forwarded to the hearing officer after comments are received via the zoning advisory committee. Hearings on waivers will be held the Third Friday of each month. (A schedule of those hearings and the deadlines for filing for the hearings is attached.)

< <File Attachment: WAIVER.DOC> >



**Waiver Hearings - 3rd Friday of the Month**  
**Room 106 County Office Building**

Waivers filed between December 1, 1994 and January 3, 1995 will be heard on January 20, 1995.

Waivers filed between January 4, 1995 and January 30, 1995 will be heard on February 17, 1995.

Waivers filed between February 1, 1995 and February 28, 1995 will be heard on March 17, 1995

Waivers filed between March 1, 1995 and April 3, 1995 will be heard on April 21, 1995.

Waivers filed between April 3, 1995 and May 1, 1995 will be heard on May 19, 1995.

Waivers filed between May 2, 1995 and May 31, 1995 will be heard on June 16, 1995.

Waivers filed between June 1, 1995 and June 30, 1995 will be heard on July 21, 1995

Waivers filed between July 3, 1995 and July 31, 1995 will be heard on August 18, 1995.

Waivers filed between August 3, 1995 and August 31, 1995 will be heard on September 15, 1995.

Waivers filed between September 1, 1995 and September 29, 1995 will be heard on October 31, 1995.

Waivers filed between October 3, 1995 and October 31, 1995 will be heard on November 17, 1995.

Waivers filed between November 3, 1995 and November 30, 1995 will be heard on December 15, 1995.

Waivers filed between December 1, 1995 and December 31, 1995 will be heard on January 19, 1996.

VENABLE, BAETJER AND HOWARD  
A partnership including professional corporations

210 Allegheny Avenue  
Post Office Box 5517  
Towson, Maryland 21285-5517  
(410) 494-6200, Fax (410) 821-0147

**VENABLE**  
ATTORNEYS AT LAW

OFFICES IN

MARYLAND  
WASHINGTON, D.C.  
VIRGINIA

Direct Dial No.  
(410) 494-6203

December 16, 1994

W. Carl Richards, Zoning Supervisor  
Baltimore County Office of Zoning  
Administration and Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Re: - Petitioner: Taco Bell  
- Location: 6200 Baltimore National Pike  
- Subject: Petition for Special Hearing to Approve  
Request for Waiver from Public Works Standards

Dear Mr. Richards:

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Soph →

**RECEIVED**

DEC 16 1994

MICROFILMED

**ZADM**

**VENABLE**  
ATTORNEYS AT LAW

W. Carl Richards  
December 16, 1994  
Page 2

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Yours truly,

*G. Paige Wingert*  
G. Paige Wingert

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Robert A. Hoffman, Esq.

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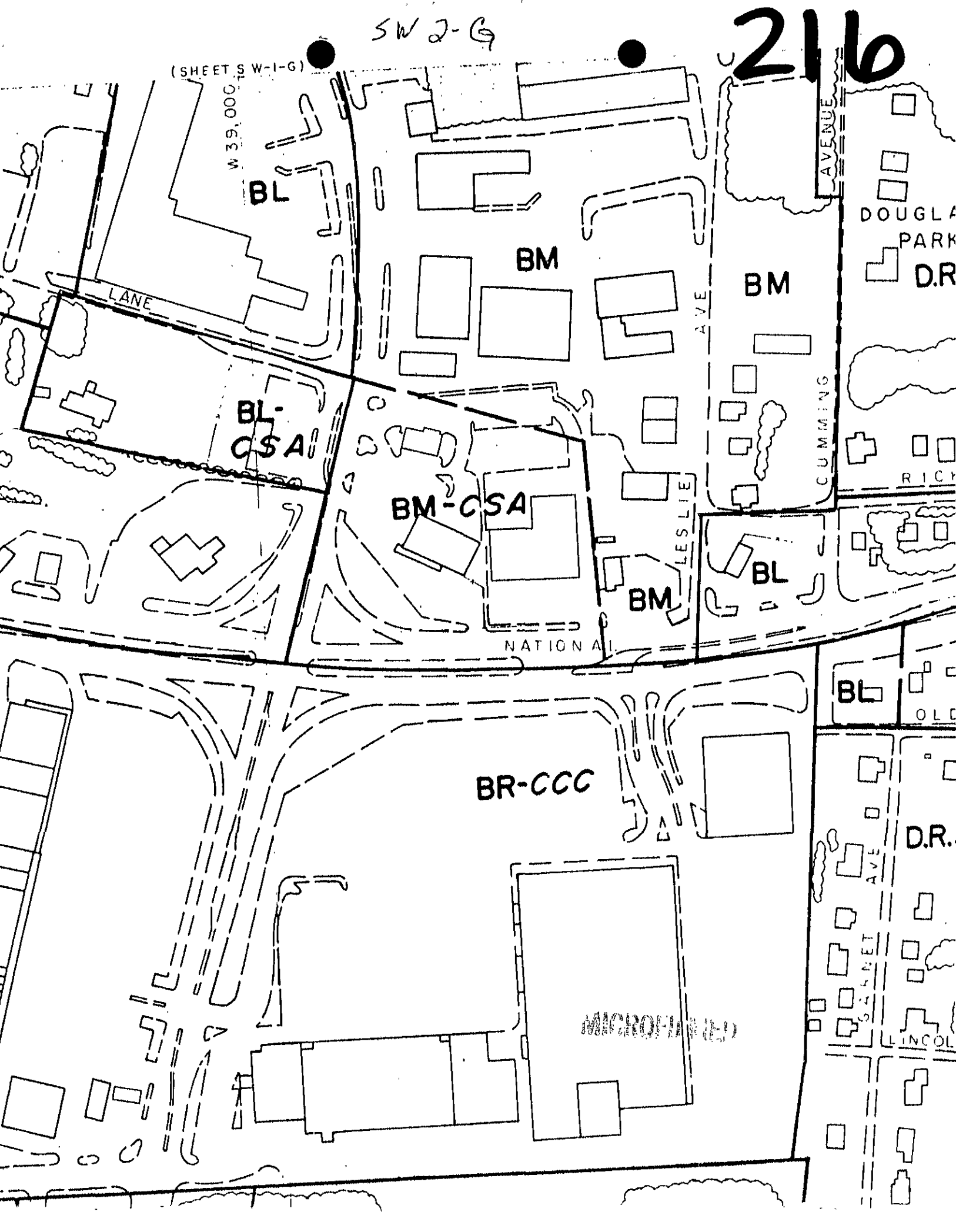
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SW 2-G

216

(SHEET SW-1-G)



**PHOENIX ENGINEERING, INC.**

817 Maiden Choice Lane • Suite 300 • Baltimore, MD 21228 / CONSULTING ENGINEERS

September 19, 1994

Mr. Thomas Hamer, Director  
 Baltimore County, Dept. of Public Works  
 111 Chesapeake Ave  
 Towson, Maryland 21204

Re: Taco Bell - 6200 Baltimore National Pike  
 Balto. Co. #94151/ZADM No. I-428

Dear Mr. Hamer:

We are herewith requesting a waiver to one of the Public Works Standards indicated by comments from the Developers Engineering Section on August 18, 1994. These comments were generated as a result of their review of the Development Plan for the site. The specific issue we wish to address is the improvement to Leslie Avenue.

As you can see on the attached plan, the site is somewhat unique in that it has road frontage on 3 sides. This condition coupled with the small size of the parcel, (just over 1/2 acre), puts a heavy burden on the property if all three streets were to be improved. We have proposed taking access at Cummings Avenue and Route 40 and constructing new entrances at those locations. We feel that it is appropriate for Taco Bell to improve those frontages and we expect to comply with the comments concerning those streets. Since we are not taking access to Leslie Avenue and will not receive any benefit from it, we are requesting relief from improvements to this road. In addition, our site investigation indicates that there are currently no curbs or sidewalks near our site on Leslie Avenue. The requested improvements to Leslie Avenue would be out of character with the rest of the street, and the sidewalk would not tie into anything beyond our site.

We feel that the requirement to improve Leslie Avenue places an unnecessary hardship on the site and trust that you will act favorably on this request. Please contact me if you have any questions.

Very truly yours,

PHOENIX ENGINEERING, INC.

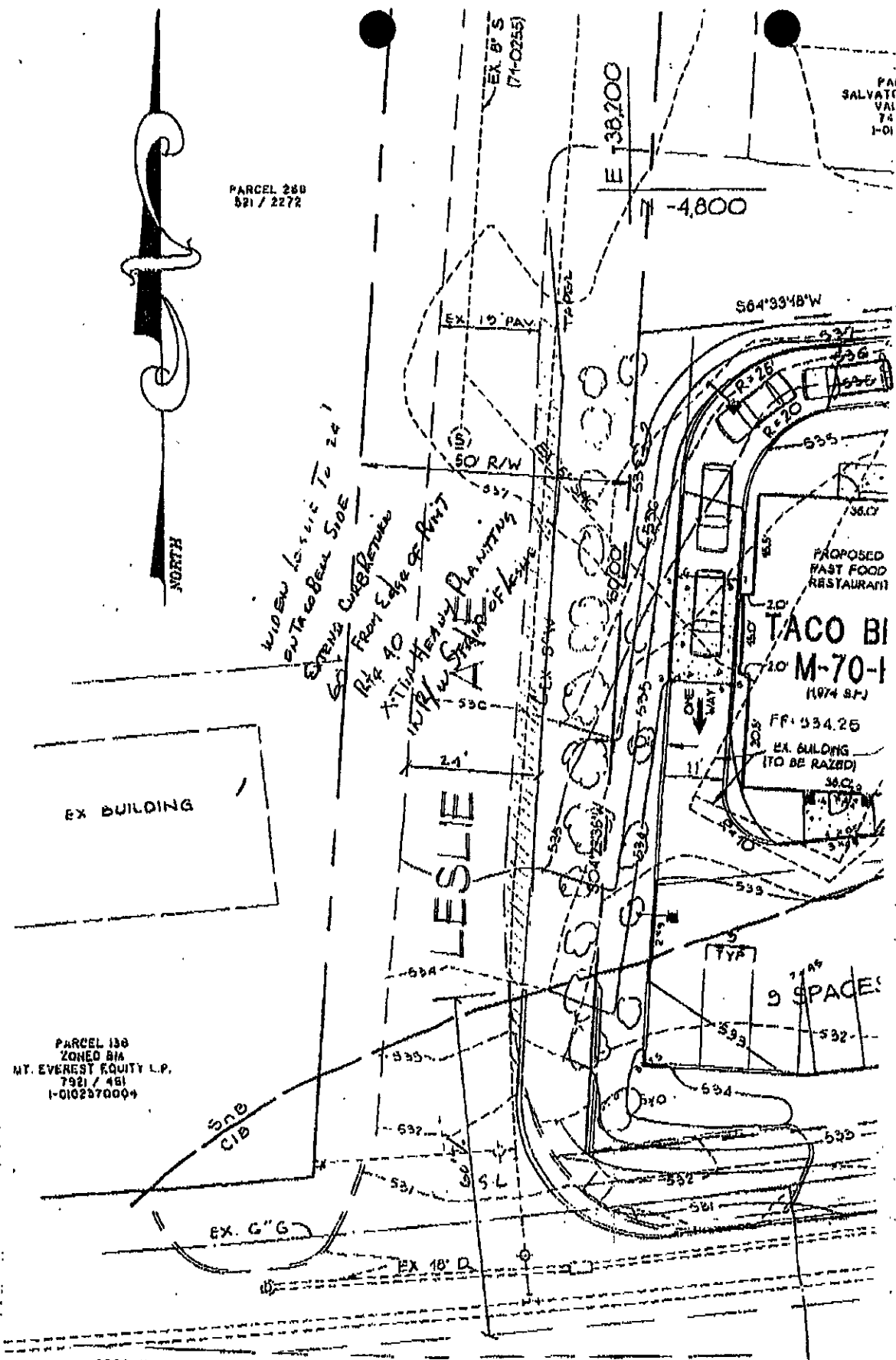
*John R. Heinrichs*  
 John R. Heinrichs, P.E.  
 Vice President

JHR/ls

Enclosure

Post-It® Fax Note	7871	Date	# of Pages 2
To	John Heinrichs	From	Lee Schreiber
Co/Dupl.	Phoenix Eng.	Co.	
Phone #		Phone #	887-3451
Fax #	247-9397	Fax #	887-3406

*Ref No 2*



*Ref No 3*

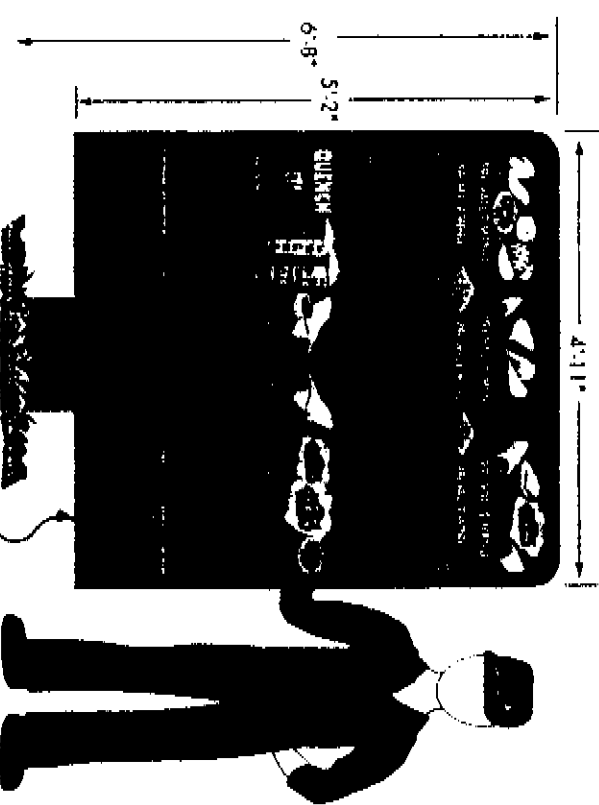
6200 Balt. Nat'l Pike, TACO BELL RESTAURANT-DEV'TL PLAN

John:

The above is the recommendation of the Director. Please address your Waiver request accordingly, and submit to Z.A.D.M., Room 321, in the County Office Bldg along with the required fee of \$250.00 for the



1. THE LOCATION OF EXISTING UTILITIES AS SHOWN ON THE PLAN ARE APPROXIMATE ONLY AND THE CONTRACTOR SHALL LOCATE AND IDENTIFY ALL UTILITIES TO HIS OWN SATISFACTION PRIOR TO ANY CONSTRUCTION.
2. ALL CONSTRUCTION ON SITE SHALL BE IN ACCORDANCE WITH BALTIMORE COUNTY STANDARD SPECIFICATIONS FOR CONSTRUCTION SHALL BE AS APPEARED.
3. ALL OPEN EXCAVATIONS AND PITS ARE REQUIRED FOR EXISTING BUILDING COVERAGES SHALL BE STAILED AND PROTECTED BY A FENCED CONSTRUCTION FENCE OR LANDSCAPED AS SPECIFIED BY THE OWNER OR ARCHITECT.
4. THE EXISTING PAVING SECTIONS SHALL BE AS SPECIFIED BY THE SOL-5 ENGINEER OR AS SHOWN.
5. ANY PAVING TO BE REPAIRED PRIOR TO ANY NEW PAVING SHOULD BE ADJACENT PROPERTIES SHALL BE REPAIRED IMMEDIATELY BY THE CONTRACTOR'S EXPENSE.
6. THE CONTRACTOR SHALL NOTIFY THE SOL-5 AND SECTION ENGINEER AND THE TELEPHONE COMPANY THE DAY'S PRIOR TO STARTING WORK ON UNDER PAVING BY CALLING COLLECT, MISS UTILITY AT 740-03-7777.
7. ALL WATERWAYS SHALL HAVE A STANDARD MINIMUM COVER OF 4.0 FT. WITH THE EXCEPTION OF CROSSINGS WHERE MINIMUM COVER OF 3.0 FT. WILL BE ALLOWED WITH A MINIMUM 0.5 FT. CLEAR OF OTHER UTILITIES.
8. CONTRACTOR TO REPAIR ANY SEGMENT CONTROL DEVICES DISTURBED AT THE END OF EACH WORKING DAY.
9. ALL UTILITIES IN PAVED AREAS SHALL HAVE FULL TRENCH PROTECTION.
10. ALL PROPOSED PAVING AND CURB AND GUTTER SHALL MEET EXISTING PAVING AND EXISTING CURB AND GUTTER FOR FINE AND GRADE.
11. THE CONTRACTOR SHALL FURNISH OWNER A CERTIFICATION LETTER SIGNED AND SEALED BY A PROFESSIONAL ENGINEER STATING THAT ALL THE CONSTRUCTION WATER, SEWER AND COLD WATER PIPING AND STANDING SPECIFICATIONS WITH THE CURRENT BALTIMORE COUNTY PLUMBING CODE AND STANDING SPECIFICATIONS.
12. THIS SET HAS BEEN PREPARED FOR REQUIREMENTS OF A COMMUNITY NOT MEETING NUMBER 4 LIMITED EXEMPTION PLAN FILE NO. 74-151-12 IS REQUIRED BY LETTER DATED 5-12-94.
13. OWNER: STAFFORD GRANT TRUSTEE T.N. ACCOUNT # 01122 01550  
800 MARHAM AVENUE  
BALTIMORE, MARYLAND 21202
14. NO FLOOD PLAIN OR WETLANDS ARE ON THE PROPERTY.
15. NO HISTORIC BUILDINGS, ARCHEOLOGICAL SITES, ENDANGERED SPECIES HABITATS OR HAZARDOUS MATERIALS DISPOSAL SITES ARE ON THE PROPERTY.
16. STORM WATER MANAGEMENT WATER WAS APPLIED FOR ON 8-2-94.
17. SOL-5 TYPE SOL-5 AND CB
18. SITE LOCATION: ELECTION DISTRICT 1 SCHOOL DIST. 104 JOHNSYCAKE  
TOWN OF JOHNSYCAKE  
TAX MAP AND PARCEL 66 66 ZONED PL
19. THERE ARE NO UNDESIGNED STORAGE TANKS OR ACTIVE WELLS ON SITE.
20. EXISTING STRUCTURES TO BE INCISED FOR ASBESTOS PRIOR TO DRAIN.
21. THERE ARE NO SLOES OR GRADERS ON THIS SITE EXCEPT AS SHOWN.
22. ALOT FOR THIS SITE IS 25% BROS. BASED ON INSTITUTE OF TRANSPORTATION ENGINEERS DATA
23. NO LOCAL OPEN SPACE REQUIRED.
24. THE HEIGHT OF ALL BUILDINGS ON THE SITE ARE IN COMPLIANCE WITH SECTION 231(B)(2)(A) IE. 40 FEET.
25. SPECIAL HEARING: 82-1128-0PH WAS GRANTED ON 11-17-91 AS AN ABANDONMENT. ALL PREVIOUS ZONING DECISIONS WILL BE ABANDONED.
26. NO SEPTIC SYSTEMS ON THIS SITE.
27. ALL PAVING WILL BE DURABLE, DUSTLESS (BUTAMINOUS CONCRETE)
28. ALL PERMANENTLY STABLE REPAIRED FROM LANDSCAPED AREAS AND RIGHT OF WAYS (TYPICAL)
29. ON SEPTEMBER 7, 1994 A ZONING VARIANCE WAS GRANTED TO PERMIT TO TO 34' OF BUSINESS SIGNS AND TO REDUCE THE PARKING SETBACK FROM A PUBLIC STREET TO 7' (CASE # 75-30-A).
30. VARIANCE FOR STORMWATER MANAGEMENT WAS GRANTED ON AUG. 26, 1994.
31. IMPROVEMENTS SHOWN ON LESLIE AVENUE ARE SUBJECT TO THE APPROVAL OF A FENDING WARE. IF THE WARE REQUEST IS DENIED LESLIE AVENUE WILL BE IMPROVED TO MEET PUBLIC WORKS STANDARDS IE. (50 PAVING, 100' WIDE, 10' HIGH) AND 10' HIGH.



## NO SCALE



**SITE DATA**

**LOT AREA:** 49.66 S.F.  
36.61 S.F.

**DEED REFERENCE:** 6534/366

**EXISTING ZONING:** RL

**EXISTING USE:** AUTOMOBILE SERVICE CENTER

**A LAND CONVERSION BUILDING**  
TOTAL PLANNING  
TOTAL AC  
0.004 AC  
0.004 AC  
0.004 AC

**PROPOSED USE:** FAST FOOD RESTAURANT

**A LAND CONVERSION BUILDING**  
TOTAL PLANNING  
TOTAL AC  
0.006 AC  
0.006 AC  
0.006 AC

**B PLANNING PROPOSED 3,000 SQ. FT.**  
INCLUDES 1 HUNDRED 30" X 48" PLAS  
TIC STAKES 12 STAKES LINE



**C PLANNING PROPOSED 8' X 48" PLAS**  
TIC STAKES 12 STAKES LINE

**D PLANNING PROPOSED 8' X 48" PLAS**  
TIC STAKES 12 STAKES LINE

3,161 sq. ft. = 0.726 ac.

DEVELOPMENT PLAN

6200 BALTIMORE NATIONAL PIKE  
CATONSVILLE, MARYLAND 21228



*PHOENIX ENGINEERING, INC.*  
CONSULTING ENGINEERS  
817 MAIDEN CHOICE LANE, SUITE 300  
BALTIMORE, MARYLAND 21228  
(410) 247-8893 FAX 247-9397







IN RE: PETITION FOR SPECIAL HEARING \* BEFORE THE  
NEC cor. U.S.Rt. 40 (Balto. \*  
Nat'l Pike) & Leslie Avenue \* ZONING COMMISSIONER  
6200 Baltimore National Pike \*  
1st Election District \* OF BALTIMORE COUNTY  
1st Councilmanic District  
Legal Owner: Joel Finkelstein \* Case No. 95-217-SPH  
Andrew Sandler & S.G. Gann  
Contract Purchaser: Taco Bell \*  
Corporation, Petitioner

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Hearing for the property located at 6200 Baltimore National Pike in Catonsville. The Petition is filed pursuant to Section 500.7 of the Baltimore County Zoning Regulations (BCZR) and Section 26-172(a) of the Baltimore County Code. The Petitioner seeks the approval of a waiver from Divisions 3, 4 and 5 of the Baltimore County Development Regulations for the proposed development on the subject site.

Appearing on behalf of the Petitioner was John R. Heinrichs, the professional engineer who prepared the site plan, Petitioner's Exhibit No. 1. The Petitioner was represented by G. Paige Wingert, Esquire. There were no Protestants or interested persons present.

Testimony and evidence offered by the Petitioner is that the subject site is approximately 1.137 acres in gross area and is zoned B.L. The property fronts U.S. Route 40 (Baltimore National Pike). The property also abuts Cummings Avenue on the east side and Leslie Avenue on the west side. The property is located along an intensively developed commercial/business strip along Baltimore National Pike, not far from the Baltimore Beltway(I-695). Further testimony offered was that the site is proposed for development with a Taco Bell Fast Food Restaurant. Presently, the site is improved with an automobile service center building. The Petitioner has received a limited exemption from the development plan

approval process. Therefore, this matter did not come before this office for a Hearing Officer's hearing pursuant to Section 26-206 of the Baltimore County Code.

However, Section 26-172 of the Code allows the Hearing Officer to grant waivers from Divisions 3, 4, and 5 of the Baltimore County Development Regulations at the request of the Department Director. In this case, the Petitioner has sought such a waiver and a favorable recommendation on that request has been issued by the Department of Public Works (DPW) (See Petitioner's Exhibit No. 2). The specific waiver sought relates only to full improvements which would otherwise be necessary on the Leslie Avenue side of the property. As the site plan shows, the Petitioner will improve the frontage of the property along Baltimore National Pike and the west side of the property along Cummings Avenue. However, in that there will be no vehicular access from Leslie Avenue, the developer proposes a waiver of the usual Public Works standards which would require significant upgrading and widening of Leslie Ave. DPW supports this request for so long as the developer agrees to: (1) a widening of the road from 19 ft. to 24 ft. on the Taco Bell side of Leslie Avenue, (2) an extension of the curb return and gutter to a distance of 60 ft. from the edge of the pavement on Route 40, (3) the installation of additional plantings and landscaping along the strip of property on that side of the site, and (4) construction of a 25 ft. paved taper from the paved end of the new widening to the existing paved width. The Petitioner has agreed to these requirements.

Based on the testimony and evidence offered, all of which was uncontradicted, I find that the size, scope and nature of the proposed development does not justify strict compliance with the Public Works standards at issue, that a waiver of same would be within the scope, purpose and intent of these regulations and that all other County laws, ordinances

-2-

and regulations have been complied with. Therefore, the waiver should and will be granted. To deny the waiver would be manifestly unfair to the developer.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 27th day of January, 1995 that, pursuant to the Petition for Special Hearing, approval of a waiver from Divisions 3, 4, and 5, of the Baltimore County Development Regulations, pursuant to Section 26-172(a) of the Baltimore County Code, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. The Petitioner shall be required to widen Leslie Avenue to 24 ft. along the entire frontage of its property.
3. The Petitioner shall provide curb and gutter around the filllet and extending approximately 48 ft. up Leslie Avenue measured from the flow line.
4. The Petitioner shall construct a 25 ft. paved taper from the end of the new paved widening to the existing paved width.
5. The Petitioner shall provide additional landscaping along the Leslie Avenue right-of-way, as shown on Exhibit 1 hereto.

LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES/mnn

-3-

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning

January 27, 1995

(410) 887-4386

Suite 112 Courthouse  
400 Washington Avenue  
Towson, MD 21204

G. Paige Wingert, Esquire  
Venable, Baetjer and Howard, LLP  
210 Allegheny Avenue  
P.O. Box 5517  
Towson, Maryland 21285-5517

RE: Case No. 95-217-SPH  
Petition for Special Hearing  
Location: 6200 Baltimore National Pike  
Legal Owners: Joel J. Finkelstein, et al  
Contract Purchaser: Taco Bell Corp.

Dear Mr. Wingert:

Enclosed please find the decision rendered in the above captioned case. The Petition for Special Hearing has been granted, with restrictions, in accordance with the attached Order.

In the event any party finds the decision rendered unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Appeals Clerk at 887-3353.

Very truly yours,  
LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES:mnn

encl.

cc: Mr. Joel J. Finkelstein  
12 Branchwood Court  
Baltimore, Md. 21208

cc: Messrs. Andrew S. Sandler & Stanford G. Gann  
Mercantile Bldg., Su 900, 2 Hopkins Plaza, Balto.Md. 21201

Printed with Soybean Ink  
on Recycled Paper

#### CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 1ST Date of Posting: 12/27/94  
Posted for: Special Hearing  
Petitioner: Taco Bell Corp. et al, Joel J. Finkelstein, et al  
Location of property: 6200 Baltimore National Pike, NE Corner Leslie Ave.  
Location of Signs: 12 ft. x 12 ft. signs on property being zoned  
Remarks:  
Posted by: [Signature] Date of return: 12/28/94  
Number of Signs: 1

#### PHOENIX ENGINEERING, INC. 817 Maiden Choice Lane • Suite 300 • Baltimore, MD 21228 / CONSULTING ENGINEERS

#### DESCRIPTION TO ACCOMPANY PETITION FOR SPECIAL HEARING FOR A WAIVER REQUEST

6200 BALTIMORE NATIONAL PIKE  
CATONSVILLE, MARYLAND

BEGINNING for the same at a point being the intersection of the Easternmost Right-of-way line of Leslie Ave., (50 feet wide), as shown on Baltimore County Drawing No. HRW 57 - 048 - A, recorded among the Land Records of Baltimore County, Maryland in Liber 5227 at folio 579, with the Northernmost Right-of-way line of the Baltimore National Pike (150 feet wide); thence binding on said Northernmost Right-of-way line of the Baltimore National Pike

- 1) 194.81 feet along a curve to the left, having a radius of 3,744.72 feet and a chord bearing North 83° 39' 09" East 194.79 feet, to a point on the Westernmost Right-of-way line of Cummings Ave., (35 feet wide), as shown on the Baltimore county Right-of-way Plat RW 88-057-1, recorded among the Land Records of Baltimore County, Maryland in Liber 8111 at Folio 203, thence binding on said Westernmost Right-of-way line of Cummings Ave.
- 2) North 04° 22' 20" East 134.00' to a point; thence continuing with the Westernmost Right-of-way of Cummings Ave. and binding on the widening strip acquired by Baltimore County as shown on RW 88-057-1, recorded among the Land Records of Baltimore County, Maryland in Liber 8111 at Folio 203, the following two courses
- 3) South 83° 03' 52" West, 5.10 feet to a point; thence
- 4) North 04° 22' 20" East 16.00 feet to a point on the Southernmost line of a plat entitled "Bensky Property," said plat being recorded in Plat Book S.M. 55 at folio 142; thence running with and binding on said line, as now surveyed
- 5) South 83° 03' 52" West, 112.88 to a point at the end of said Southernmost line of the "Bensky Property," thence
- 6) South 84° 33' 18 West, 76.82 feet to the aforementioned Eastern Right-of-way line of Leslie Ave.; thence running with and binding on said Eastern Right-of-way line
- 7) South 04° 22' 36" West, 150.00 feet to the point of beginning

CONTAINING 28,675 square feet or 0.658 acres of land more or less.

Telephone: 410-247-8833 • Fax: 410-247-9397

#### CERTIFICATE OF PUBLICATION

TOWSON, MD., Dec. 29, 1994

THIS IS TO CERTIFY, that the aamezed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Dec. 29, 1994

THE JEFFERSONIAN,  
LEGAL AD. - TOWSON

#### Petition for Special Hearing to the Zoning Commissioner of Baltimore County for the property located at 6200 Baltimore National Pike which is presently zoned BL

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve a waiver from Divisions 3, 4, and 5 of the Baltimore County Development Regulations pursuant to Section 26-172(a) Baltimore County Code.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

Taco Bell Corporation  
(Type or Print Name)  
By: Bonnie Vancheri  
Signature  
620 Herndon Parkway, Suite 200  
Address  
Herndon, Virginia 22070  
City State Zip

Attorney for Petitioner:

Robert A. Hoffman  
(Type or Print Name)  
Venable, Baetjer & Howard  
210 Allegheny Avenue  
Signature  
Towson, Maryland 21204  
Address Phone No.  
City State Zip

We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

Joel J. Finkelstein  
12 Branchwood Court, Baltimore, MD 21208  
484-5030  
Signature  
Andrew Sandler  
Address  
2 Hopkins Plaza, Balto., MD 21201 (539-3700)

Stanford G. Gann  
Mercantile Building, Suite 900  
2 Hopkins Plaza, Balto., MD 21201 (539-3700)  
Name, Address and phone number of representative to be contacted.

Robert A. Hoffman  
210 Allegheny Ave., Towson, MD 21204  
Address Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

See following date unavailable for hearing

ALL OTHER

REVIEWED BY DATE

DROP-OFF  
No REVIEW  
12-16-94  
WCR



TO: FUTURIST PUBLISHING COMPANY  
December 28, 1994 Issue - Jeffersonian

Please forward billing to:

Robert A. Hoffman, Esq.  
Venable, Baetjer & Howard  
210 Allegheny Avenue  
Towson, Maryland 21204  
410-994-6200

#### NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-217-SPH (Item 216)  
6200 Baltimore National Pike  
NEC US Route 40 (Baltimore National Pike) and Leslie Avenue  
1st Election District - 1st Councilmanic  
Legal Owner(s): Joel J. Finkelstein, Andrew S. Sandler, and Stanford G. Gann  
Contract Purchaser(s): Taco Bell Corporation  
HEARING: FRIDAY, JANUARY 20, 1995 at 10:00 a.m. in Room 106, County Office Building.

Special Hearing to approve a waiver from Divisions 3, 4, and 5 of the Baltimore County Development Regulations.

LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

DECEMBER 22, 1994

#### NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-217-SPH (Item 216)  
6200 Baltimore National Pike  
NEC US Route 40 (Baltimore National Pike) and Leslie Avenue  
1st Election District - 1st Councilmanic  
Legal Owner(s): Joel J. Finkelstein, Andrew S. Sandler, and Stanford G. Gann  
Contract Purchaser(s): Taco Bell Corporation  
HEARING: FRIDAY, JANUARY 20, 1995 at 10:00 a.m. in Room 106, County Office Building.

Special Hearing to approve a waiver from Divisions 3, 4, and 5 of the Baltimore County Development Regulations.

*Arnold Jablon*  
Arnold Jablon  
Director

cc: Joel J. Finkelstein, et al  
Taco Bell Corporation  
Robert A. Hoffman, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.  
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

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on Recycled Paper

Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

January 13, 1995

Robert A. Hoffman  
210 Allegheny Avenue  
Towson, Maryland 21204

RE: Item No.: 216  
Case No.: 95-217-SPH  
Petitioner: J. Finkelstein, et al.

Dear Mr. Hoffman:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by the Office of Zoning Administration and Development Management (ZADM), Development Control Section on December 16, 1994.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,  
*W. Carl Richards, Jr.*

W. Carl Richards, Jr.  
Zoning Supervisor

WCR/jw  
Attachment(s)

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on Recycled Paper

#### BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: Jan. 4, 1995  
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief  
Developers Engineering Section

RE: Zoning Advisory Committee Meeting  
for January 3, 1995  
Item No. 216

The Developers Engineering Section has reviewed the subject zoning item. This site is subject to the schematic landscape plan previously submitted.

See correspondence dated December 1, 1994 from Mr. Thomas Hanner, Acting Director of Public Works to Arnold Jablon, Director of Zoning Administration and Development Management, addressing the required widening of Leslie Avenue to 24 feet.

RWB:aw

BALTIMORE COUNTY, MARYLAND

#### INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Zoning Administration &  
Development Management

FROM: Pat Keller, Director  
Office of Planning and Zoning

DATE: January 3, 1995

SUBJECT: 6200 Baltimore National Pike

#### INFORMATION:

Item Number: 216  
Petitioner: Taco Bell Corporation, Contract Purchaser  
Property Size: 1.13 acres  
Zoning: BL  
Requested Action: Special Hearing  
Hearing Date: 1/13/95

#### SUMMARY OF RECOMMENDATIONS:

Based upon an analysis of the information provided, staff defers to the position of the Department of Public Works regarding the subject request.

Prepared by: *Jeffrey W. Long*  
Division Chief: *Carol Leno*  
PK/JL:lw

Baltimore County Government  
Fire Department



700 East Joppa Road Suite 901  
Towson, MD 21286-5500

(410) 887-4500

DATE: 12/23/94

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP: 1106

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF DEC. 27, 1994.

Item No.: SEE BELOW Zoning Agenda:

Comments:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

3. The Fire Marshall's Office has no comments at this time.  
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 208, 209, 210, 211, 212, 213, 215 AND 216.

RECEIVED  
JAN 8 1995

ZADM

REVIEWER: LT. ROBERT P. Sauerwald  
Fire Marshal's Office, PHONE 667-4681, 65-1103F

cc: File

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#### BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT INTER-OFFICE CORRESPONDENCE

TO: ZADM

DATE: 1/13/95

FROM: DEPRM  
Development Coordination

SUBJECT: Zoning Advisory Committee  
Agenda: Dec. 27, 1994

The Department of Environmental Protection & Resource Management has (no) comments for the following Zoning Advisory Committee items:

Item #'s: 208  
210  
212  
213  
214  
215  
216

LS:sp

LETTY2/DEPRM/TXTSP

Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

January 5, 1995

Robert A. Hoffman, Esquire  
Venable, Baetjer and Howard  
210 Allegheny Avenue  
Towson, MD 21204

RE: Preliminary Petition Review  
Item #216, Case #95-217-SPH  
Legal Owner: Joel J. Finkelstein &  
Andrew S. Sandler & Stanford G.  
Gann  
Contract Purchaser: Taco Bell Corp.  
6200 Baltimore National Pike  
1st Election District

Dear Mr. Hoffman:

At the request of the attorney/petitioner, the above referenced petition was accepted for filing without a final filing review by the staff. The plan was accepted with the understanding that all zoning issues/filing requirements would be addressed. A subsequent review by the staff has revealed unaddressed zoning issues and/or incomplete information. The following comments are advisory and do not necessarily identify all details and inherent technical zoning requirements necessary for a complete application. As with all petitions/plans filed in this office, it is the final responsibility of the petitioner to make a proper application, address any zoning conflicts and, if necessary, to file revised petition materials. All revisions (including those required by the hearing officer) must be accompanied by a check made out to Baltimore County, Maryland for the \$700.00 revision fee.

These comments are not intended to address any individual site standards for bulk or parking, etc.

1. No title or authorization for Bonnie Vancheri signing for Taco Bell.
2. The property outline and zoning map number is not shown on the provided 1" = 200' scale partial zoning map copy.
3. The description does not match the plan.

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on Recycled Paper



Robert A. Hoffman, Esquire  
January 5, 1995  
Page 2

If you need further information or have any questions, please do not hesitate to contact me at 887-3391.

Very truly yours,

*John L. Lewis*  
John L. Lewis  
Planner II

JLL:scj

Enclosure (receipt)

cc: Zoning Commissioner

Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

January 25, 1995

Robert A. Hoffman, Esquire  
210 Allegheny Avenue  
Towson, Maryland 21204

RE: Case No. 95-217-SPH  
Petitioner: J. Finkelstein

Dear Mr. Hoffman:

Enclosed are copies of comments received from SHA on January 23, 1995 for the above-referenced case.

If there are any questions, please do not hesitate to call me at 887-3391.

Sincerely,

*Joyce Watson*  
Joyce Watson

/jw

Enclosure

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on Recycled Paper



Maryland Department of Transportation  
State Highway Administration

O. James Lighthizer  
Secretary  
Hal Kassoff  
Administrator

January 19, 1995

Ms. Joyce Watson  
Zoning Administration and  
Development Management  
County Office Building  
Room 109  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Re: Baltimore County  
US 40  
6200 Baltimore National Pike  
Taco Bell  
Special Hearing  
Item # +216 (WCR)  
Mile Post 1.79

Dear Ms. Watson:

This letter is in response to your request for our review of the referenced item.

In previous reviews of both a limited exemption and variance request for the referenced development, we indicated that improvements to the property frontage along US 40 would be required to include entrance reconstruction, curb and gutter, etc. as a condition of plan approval.

We have recently received a completed permit application and surety from the developer, in order to issue the required access permit necessary to construct the aforementioned improvements indicated on the current plan.

Therefore, we have no objection to approval to the special hearing request subject to our aforementioned comments.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

*David M. Hamon*  
Ronald Burns, Chief  
Engineering Access Permits  
Division

BS/es

My telephone number is 410-333-1350 (Fax# 333-1041)

Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free  
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

RE: PETITION FOR SPECIAL HEARING \* BEFORE THE  
6200 Baltimore National Pike, WCR US \* ZONING COMMISSIONER  
Route 40 (Baltimore National Pike) \* OF BALTIMORE COUNTY  
and Leslie Avenue, 1st Election \*  
District, 1st Councilmanic \*  
Joel J. Finkelstein, et al. \* CASE NO. 95-217-SPH  
Petitioners \*

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

*Peter Max Zimmerman*  
PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

*Carole S. Demilio*  
CAROLE S. DEMILIO  
Deputy People's Counsel  
Room 47, Courthouse  
400 Washington Avenue  
Towson, MD 21204  
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 19th day of January, 1995, a copy of the foregoing Entry of Appearance was mailed to Robert A. Hoffman, Esquire, Venable, Baetjer and Howard, 210 Allegheny Avenue, P. O. Box 5517, Towson, MD 21204, attorney for Petitioners.

*Peter Max Zimmerman*  
PETER MAX ZIMMERMAN

VENABLE  
ATTORNEYS AT LAW

210 Allegheny Avenue  
Post Office Box 5517  
Towson, Maryland 21205-5517  
(410) 494-6200, Fax (410) 521-0147

OFFICES IN  
MARYLAND  
WASHINGTON, D.C.  
VIRGINIA

Direct Dial No.  
(410) 494-6203

December 16, 1994

W. Carl Richards, Zoning Supervisor  
Baltimore County Office of Zoning  
Administration and Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Re: - Petitioner: Taco Bell  
- Location: 6200 Baltimore National Pike  
- Subject: Petition for Special Hearing to Approve  
Request for Waiver from Public Works Standards

Dear Mr. Richards:

In accordance with the recently-adopted policy concerning waiver requests (see copy of Memo from Don Rascoe, dated 11/17/94), we are representing Taco Bell, contract purchaser of the above-referenced property, with regard to their waiver request attached hereto and containing the following:

- (1) Special Hearing Petitions (3);
- (2) Zoning Descriptions (3);
- (3) 200' Scale Zoning Map for the subject site (1);
- (4) Plans to Accompany Petition for Zoning Variance (12);
- (5) a check in the amount of \$285.00 to cover the requisite filing and posting fee.

We believe all the documents necessary to file this petition are attached. We would appreciate, however, if you or Sophie could give us a call as soon as possible to confirm that the package is complete and to provide us with the assigned item number. Of

VENABLE  
ATTORNEYS AT LAW

W. Carl Richards  
December 16, 1994  
Page 2

course, should anything be missing, please do not hesitate to give us a call.

Yours truly,

*G. Paige Wingert*  
G. Paige Wingert

GPW/dok  
enclosures

cc: Bonnie Vancheri, Construction Mgr.  
Carole S. Gould, Esq.  
Donald T. Rascoe, Balto. County Dev't. Mgr.  
John R. Heinrichs, P.E.  
Robert A. Hoffman, Esq.

RICHARDS:GPW

Don Rascoe

To: Arnold Et All PMs; Bob Bowling; Carol McEvoy  
Subject: Waiver of Public Works Hearing Schedule

As you will recall, we have decided to set a monthly schedule before the hearing officer to consider requests for waivers of public works standards. Previously, the recommendation went directly from the DRC to the Director, Department of Public Works and the waiver was either granted or denied at that point.

Now the process will be that requests come in as before, via ZADM, they will go to the DRC and a recommendation will be made by the DRC to the Director of Public Works. The Director will decide to recommend approval or denial. If the recommendation is for denial, the waiver request dies at that point. If the Director of Public Works recommends granting the waiver, that recommendation will be forwarded to the hearing officer after comments are received via the zoning advisory committee. Hearings on waivers will be held the Third Friday of each month. (A schedule of those hearings and the deadlines for filing for the hearings is attached.)

<<File Attachment: WAIVER.DOC>>

Waiver Hearings - 3rd Friday of the Month  
Room 106 County Office Building

Waivers filed between December 1, 1994 and January 3, 1995 will be heard on January 20, 1995.  
Waivers filed between January 4, 1995 and January 30, 1995 will be heard on February 17, 1995.  
Waivers filed between February 1, 1995 and February 28, 1995 will be heard on March 17, 1995.  
Waivers filed between March 1, 1995 and April 3, 1995 will be heard on April 21, 1995.  
Waivers filed between April 3, 1995 and May 1, 1995 will be heard on May 19, 1995.  
Waivers filed between May 2, 1995 and May 31, 1995 will be heard on June 16, 1995.  
Waivers filed between June 1, 1995 and June 30, 1995 will be heard on July 21, 1995.  
Waivers filed between July 3, 1995 and July 31, 1995 will be heard on August 18, 1995.  
Waivers filed between August 3, 1995 and August 31, 1995 will be heard on September 15, 1995.  
Waivers filed between September 1, 1995 and September 29, 1995 will be heard on October 31, 1995.  
Waivers filed between October 3, 1995 and October 31, 1995 will be heard on November 17, 1995.  
Waivers filed between November 3, 1995 and November 30, 1995 will be heard on December 15, 1995.  
Waivers filed between December 1, 1995 and December 31, 1995 will be heard on January 19, 1996.



VENABLE  
ATTORNEYS AT LAW

VENABLE, BAETJER AND HOWARD  
A partnership including professional corporations  
210 Allegheny Avenue  
Post Office Box 5517  
Towson, Maryland 21285-5517  
(410) 494-6200, Fax (410) 821-0147

OFFICES IN  
MARYLAND  
WASHINGTON, D.C.  
VIRGINIA

Direct Dial No.  
(410) 494-6203

December 16, 1994

W. Carl Richards, Zoning Supervisor  
Baltimore County Office of Zoning  
Administration and Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Re: - Petitioner: Taco Bell  
- Location: 6200 Baltimore National Pike  
- Subject: Petition for Special Hearing to Approve  
Request for Waiver from Public Works Standards

Dear Mr. Richards:

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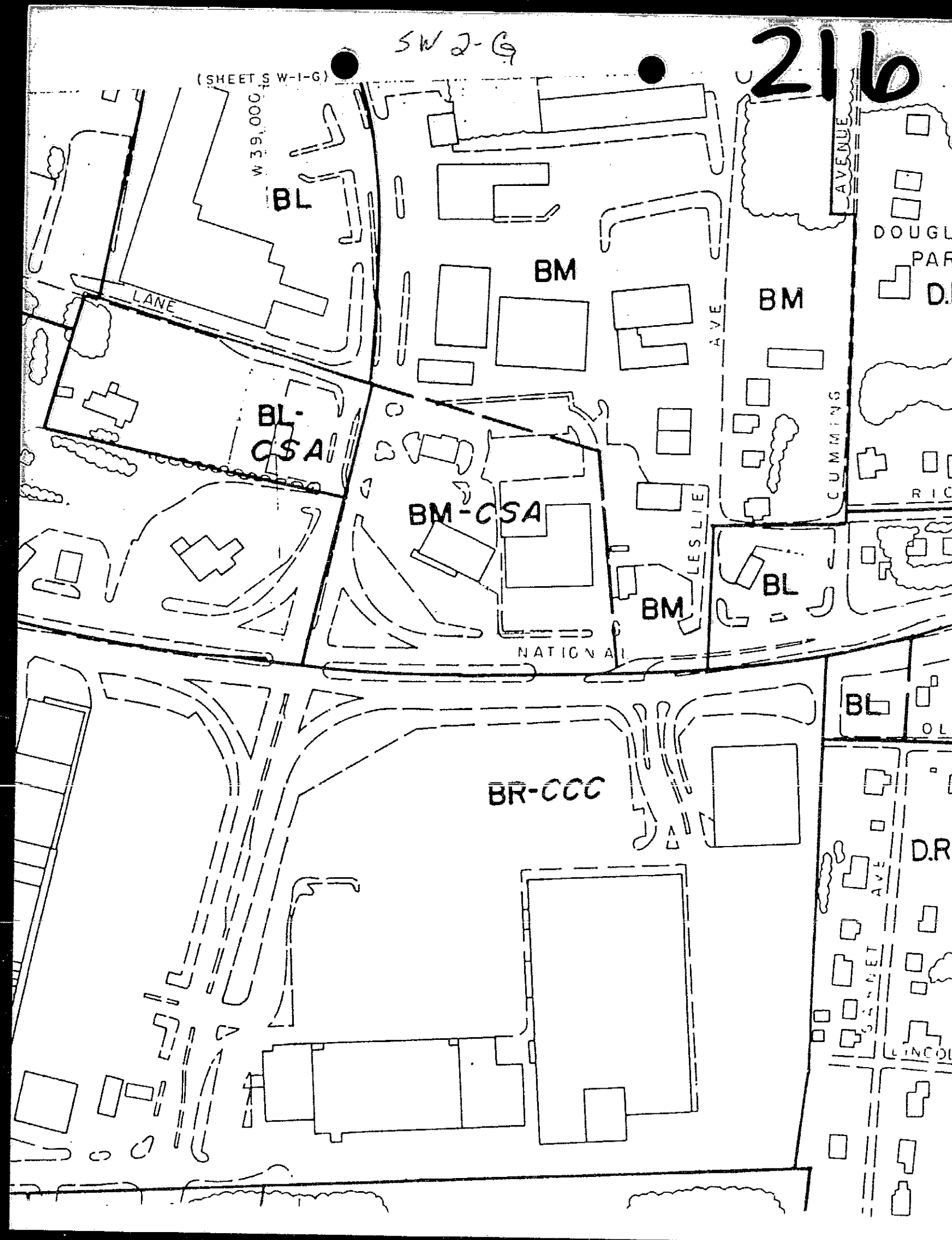
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We believe all the documents necessary to file this petition are attached. We would appreciate, however, if you or Sophie could give us a call as soon as possible to confirm that the package is complete and to provide us with the assigned item number. Of

RECEIVED

DEC 16 1994

ZADM



NOV 29 '94 17:51 PHOENIX ENG. 247-9397

P.5/6

PHOENIX ENGINEERING, INC.  
817 Maiden Choice Lane • Suite 300 • Baltimore, MD 21228 / CONSULTING ENGINEERS

September 19, 1994

Mr. Thomas Hamer, Director  
Baltimore County, Dept. of Public Works  
111 Chesapeake Ave  
Towson, Maryland 21204

Re: Taco Bell - 6200 Baltimore National Pike  
Balto. Co. #94151/ZADM No. 1-428

Dear Mr. Hamer:

We are herewith requesting a waiver to one of the Public Works Standards indicated by comments from the Developers Engineering Section on August 18, 1994. These comments were generated as a result of their review of the Development Plan for the site. The specific issue we wish to address is the improvement to Leslie Avenue.

As you can see on the attached plan, the site is somewhat unique in that it has road frontage on 3 sides. This condition coupled with the small size of the parcel, (just over 1/2 acre), puts a heavy burden on the property if all three streets were to be improved. We have proposed taking access at Cummings Avenue and Route 40 and constructing new entrances at those locations. We feel that it is appropriate for Taco Bell to improve those frontages and we expect to comply with the comments concerning those streets. Since we are not taking access to Leslie Avenue and will not receive any benefit from it, we are requesting relief from improvements to this road. In addition, our site investigation indicates that there are currently no curbs or sidewalks on this road. In addition, the requested improvements to Leslie Avenue would be out of character with the rest of the street, and the sidewalk would not tie into anything beyond our site.

We feel that the requirement to improve Leslie Avenue places an unnecessary hardship on the site and trust that you will act favorably on this request. Please contact me if you have any questions.

Very truly yours,

PHOENIX ENGINEERING, INC.

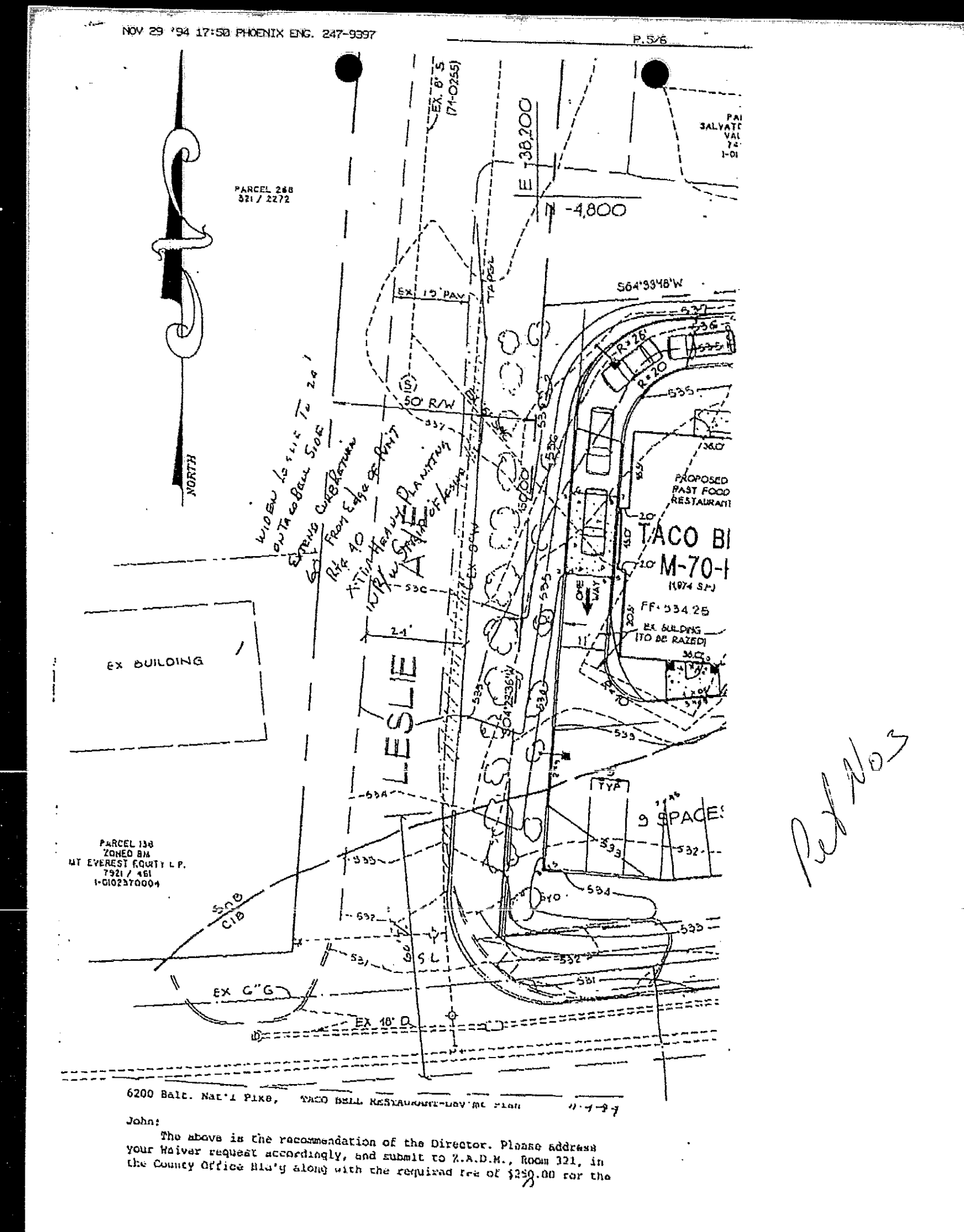
John R. Heinrichs, P.E.  
Vice President

JHR/ls

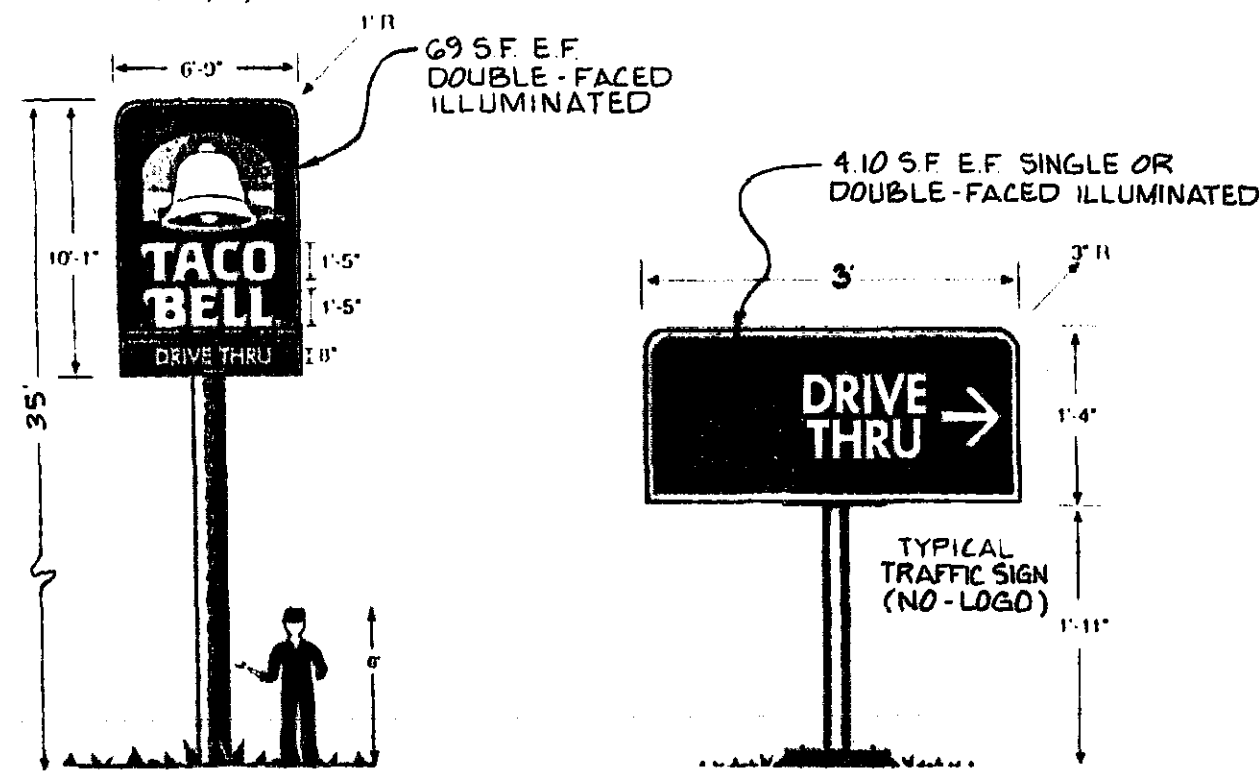
Enclosure

PostNet Fax Note	7671	DATE	12/16/94
To: John Heinrichs	FROM: Lee Schreiber		
Company: Phoenix Eng.	Co.		
Phone #	Phone # 887-3451		
Fax #	Fax # 887-3406		

Ref No 2

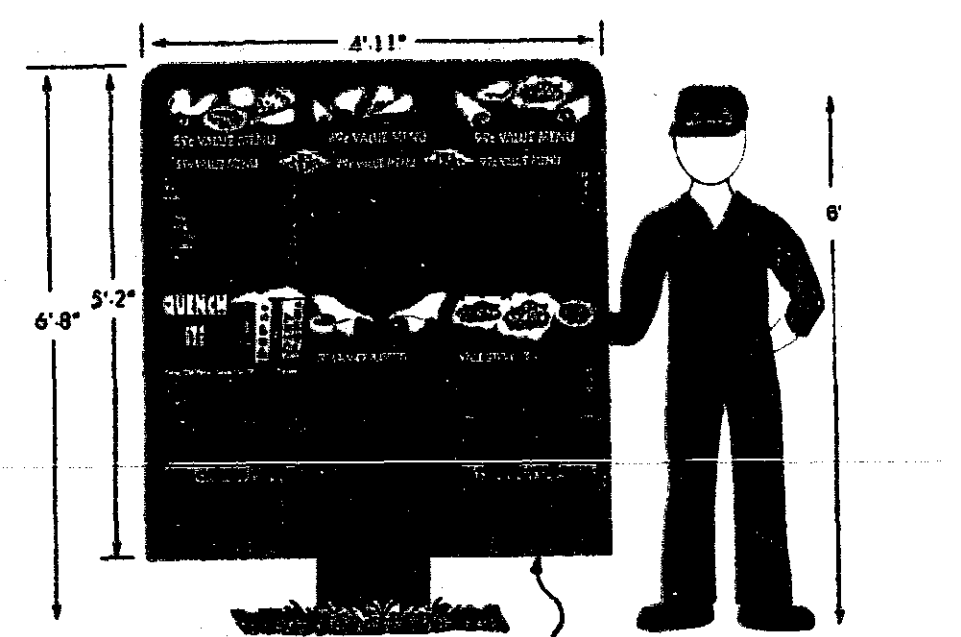


1. THE LOCATION OF EXISTING UTILITIES AS SHOWN ON THIS PLAN ARE APPROXIMATE ONLY AND THE CONTRACTOR SHOULD LOCATE AND IDENTIFY ALL UTILITIES TO HIS OWN SATISFACTION PRIOR TO STARTING ANY CONSTRUCTION.
2. ALL CONSTRUCTION ONSITE SHALL BE IN ACCORDANCE WITH BALTIMORE COUNTY STANDARD SPECIFICATIONS AND DETAILS FOR CONSTRUCTION DATED 1978 AS AMENDED.
3. ALL DISTURBED AREAS, NOT BEING PAVED OR RECEIVING BUILDING COVERAGE, SHALL BE STABILIZED IN ACCORDANCE WITH THE APPROVED EROSION CONTROL PLAN OR LANDSCAPED AS SPECIFIED BY THE OWNER OR ARCHITECT.
4. THE ONSITE PAVING SECTIONS SHALL BE AS SPECIFIED BY THE SOILS ENGINEER OR AS SHOWN.
5. ANY DAMAGE TO OFF-SITE RIGHTS OF WAY, PUBLIC ROADS OR ADJACENT PROPERTIES SHALL BE REPAIRED IMMEDIATELY AT THE CONTRACTOR'S EXPENSE.
6. THE CONTRACTOR SHALL NOTIFY THE GAS AND ELECTRIC COMPANY AND C&P TELEPHONE COMPANY FIVE DAYS PRIOR TO STARTING WORK SHOWN ON THESE PLANS BY CALLING COLLECT, NISS UTILITY AT 400-237-7777.
7. ALL WATERMANS SHALL HAVE A STANDARD MINIMUM COVER OF 40 FT. WITH THE EXCEPTION OF CROSSINGS WHERE MINIMUM COVER OF 30 FT. WILL BE ALLOWED, WITH A MINIMUM 0.5 FT. CLEAR OF OTHER UTILITIES.
8. CONTRACTOR TO REPAIR ANY SEDIMENT CONTROL DEVICES DISTURBED AT THE END OF EACH WORKING DAY.
9. ALL UTILITIES IN PAVED AREAS SHALL HAVE FULL TRENCH COMPACTION.
10. ALL PROPOSED PAVING AND CURB AND GUTTER SHALL MEET EXISTING PAVING AND EXISTING CURB AND GUTTER FOR LINE AND GRADE.
11. THE CONTRACTOR SHALL FURNISH OWNER A CERTIFICATION LETTER SIGNED AND SEALED BY A PROFESSIONAL ENGINEER STATING THAT ALL THE CONSTRUCTION WATER SEWER AND STORM DRAIN FACILITIES HAS BEEN COMPLETED IN ACCORDANCE WITH THE CURRENT BALTIMORE COUNTY PLUMBING CODE AND STANDARD SPECIFICATIONS.
12. THIS SITE WAS EXEMPTED FROM REQUIREMENTS OF A COMMUNITY INPUT MEETING, HOWEVER A LIMITED EXEMPTION PLAN FILE NO. 94-151-Z IS REQUIRED BY LETTER DATED 5-26-94.
13. OWNER: STANFORD GANN TRUSTEE TAX ACCOUNT # 0112201550  
1800 PARKMAN AVENUE  
BALTIMORE, MARYLAND 21230
14. NO FLOOD PLAN OR WETLANDS ARE ON THE PROPERTY.
15. NO HISTORIC BUILDINGS, ARCHEOLOGICAL SITES, ENDANGERED SPECIES HABITATS, OR HAZARDOUS MATERIALS DISPOSAL SITES ARE ON THE PROPERTY.
16. STORM WATER MANAGEMENT WEAVER WAS APPLIED FOR ON 8-2-94.
17. SOILS TYPE: S-B AND CB
18. SITE LOCATION: ELECTION DISTRICT: 4 SCHOOL DIST: 404 JOHNNYCAKE  
COUNCILMANS DISTRICT: 4C1 CENSUS TRACT: 40505  
TAX MAP 94, PARCEL 89 69 WATERSHED: 26  
SUB-BEWERSHED: 69 ZONED: BL
19. THERE ARE NO UNDERGROUND STORAGE TANKS OR ACTIVE WELLS ON-SITE.
20. EXISTING STRUCTURE TO BE INSPECTED FOR ASBESTOS PRIOR TO RAZING.
21. THERE ARE NO SLOPES 25% OR GREATER ON THIS SITE, EXCEPT AS SHOWN.
22. A.D.T. FOR THIS SITE TO BE 1263 TRIPS BASED ON INSTITUTE OF TRANSPORTATION ENGINEER'S DATA.
23. NO LOCAL OPEN SPACE REQUIRED.
24. THE HEIGHT OF ALL BUILDINGS ON THIS SITE ARE IN COMPLIANCE WITH SECTION 231 (B.C.Z.R.) E 40; MAXIMUM HEIGHT.
25. SPECIAL EXEMPTION 78-122-X WAS GRANTED ON 12-17-81  
SUSPENDING 02-126-9PH WAS GRANTED ON SAME DATE  
AS AN AMENDMENT. ALL PREVIOUS ZONING DECISIONS WILL BE ABANDONED.
26. NO SEPTIC SYSTEMS ON THIS SITE.
27. ALL PAVING WILL BE DURABLE, DUSTLESS (BITUMINOUS CONCRETE) AND PERMANENTLY STRIPED.
28. ALL EXCESS PAVING SHALL BE REMOVED FROM LANDSCAPED AREAS AND RIGHT OF WAYS (TYPICAL).
29. ON SEPTEMBER 7, 1974 A ZONING VARIATION WAS GRANTED TO PERMIT 170.70 SQ. FT. OF BUSINESS SIGNS AND TO REDUCE THE PARKING SETBACK FROM A PUBLIC STREET TO 7' (CASE # 95-30-A).
30. WAIVER FOR STORMWATER MANAGEMENT WAS GRANTED ON AUG. 26, 1994.
31. IMPROVEMENTS SHOWN ON LESLIE AVENUE, ARE SUBJECT TO THE APPROVAL OF PENNSYLVANIA. IF THE WAIVER REQUEST IS DENIED, LESLIE AVENUE WILL BE IMPROVED TO MEET PUBLIC WORKS STANDARDS IE: (30 PAVING/ 50' R/W. W/ SIDEWALKS).

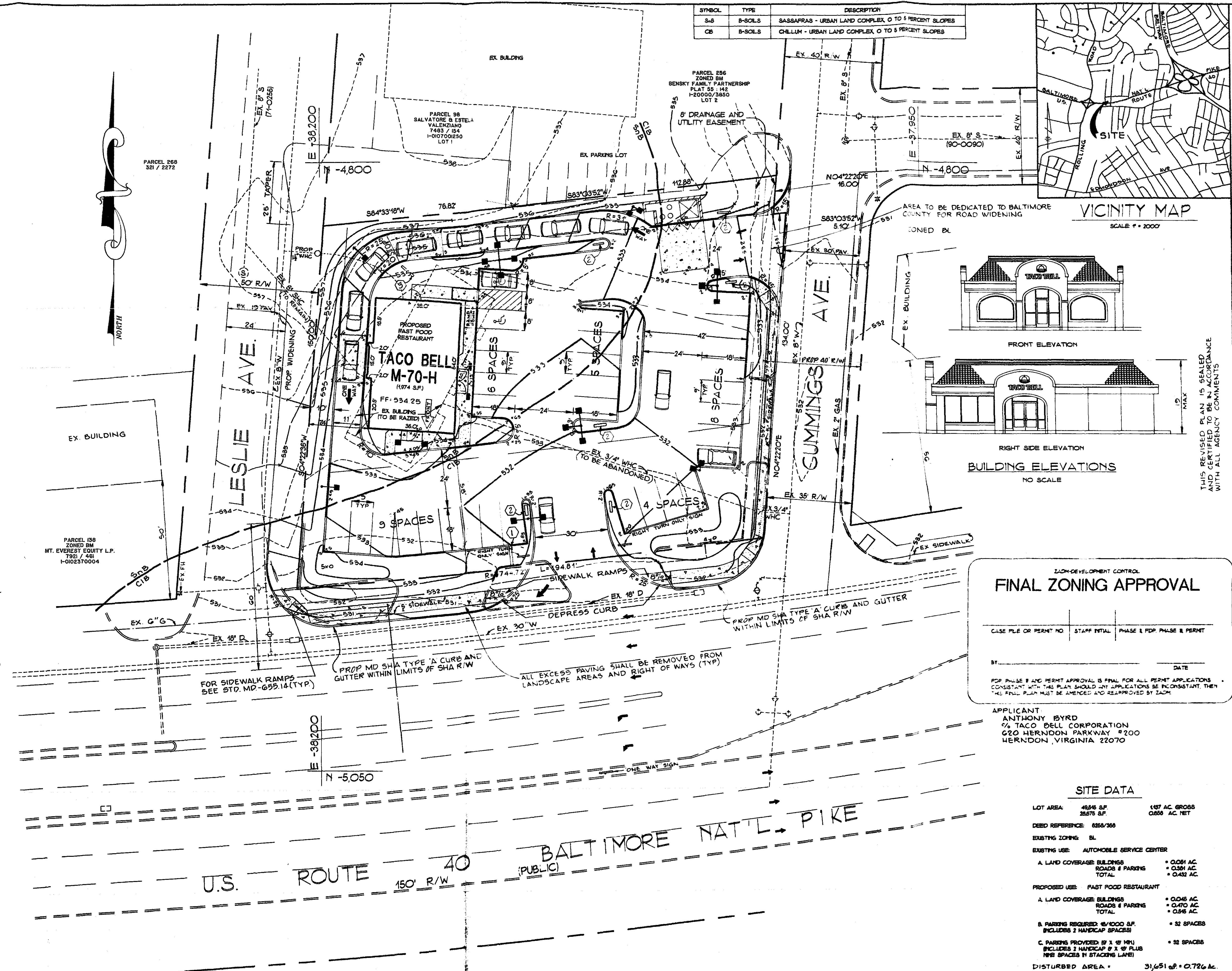


IDENTIFICATION
SIGN

TRAFFIC SIGN



MENU BOARD SIGN  
 TYPICAL SIGN DETAILS  
 NO SCALE



**CERTIFICATION AS TO  
DELINQUENT ACCOUNTS**


THIS CERTIFICATION IS SUBMITTED IN CONNECTION WITH THE DEVELOPMENT  
KNOWN AS 6800 BALTIMORE NATIONAL, FILE AND IS GIVEN IN ACCORDANCE  
WITH THE PROVISIONS OF SECTION 2-29 (c) OF THE BALTIMORE COUNTY  
CODE, 1976, AS AMENDED.

I, ANTHONY BYRTE, NOW MAKE OATH THAT TO THE BEST OF MY KNOWLEDGE  
AND BELIEF THERE ARE NO DELINQUENT ACCOUNTS FOR ANY OTHER DE-  
VELOPMENT DUE AND OWED BALTIMORE COUNTY, MARYLAND BY THE APPLICANT  
A PERSON WITH A FINANCIAL INTEREST IN THE PROPOSED DEVELOPMENT,  
AND WHOSE PERSON OR PERSONS PERFORM CONTRACTUAL SERVICES ON BEHALF OF  
THE PROPOSED DEVELOPMENT.

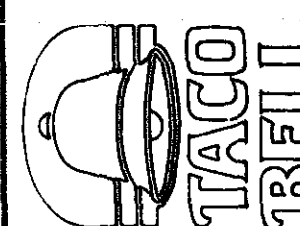
FORM CONTRACTUAL SERVICES ON BEHALF OF  
ENT.  
Andrew Good  
AFFIRANT

DRC NC 05234 D

ZADM NO. 1-428



**PHOENIX ENGINEERING, INC.**  
CONSULTING ENGINEERS  
817 MADEN CHOICE LANE SUITE 300  
BALTIMORE MARYLAND 21226  
(410) 247-8933 FAX 247-9397



## DEVELOPMENT PLAN

3200 BALTIMORE NATIONAL PIKE  
CATONSVILLE, MARYLAND 21228

## REVISIONS

[illegible]

DRAWN BY:  
CHECKED BY: RJ

BUILDING TYPE

**M-70-**

**JOB NUMB**

**05-24**

DATE \_\_\_\_\_

5-10-

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SHEET NUMBER  
1 OF 6

1000

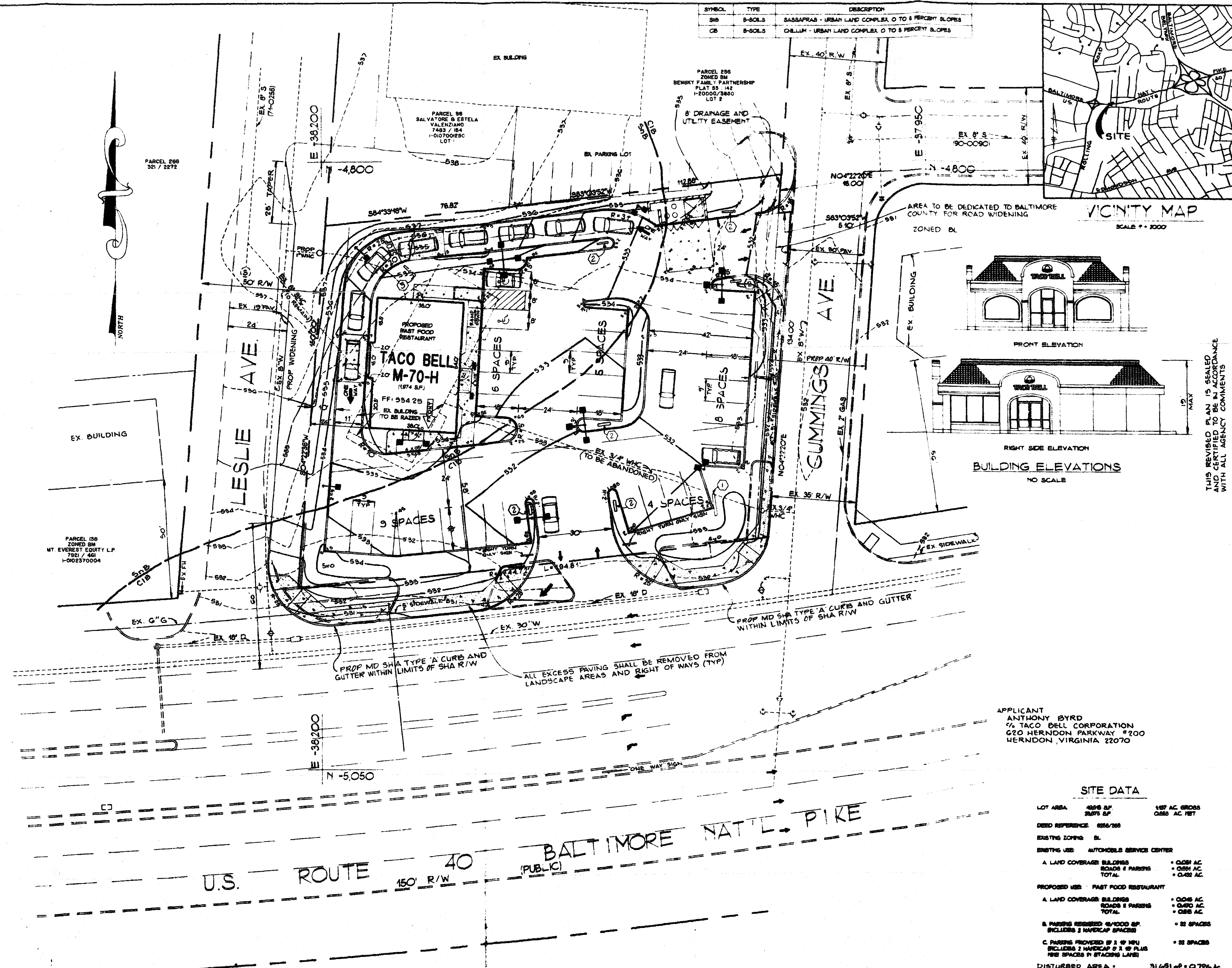
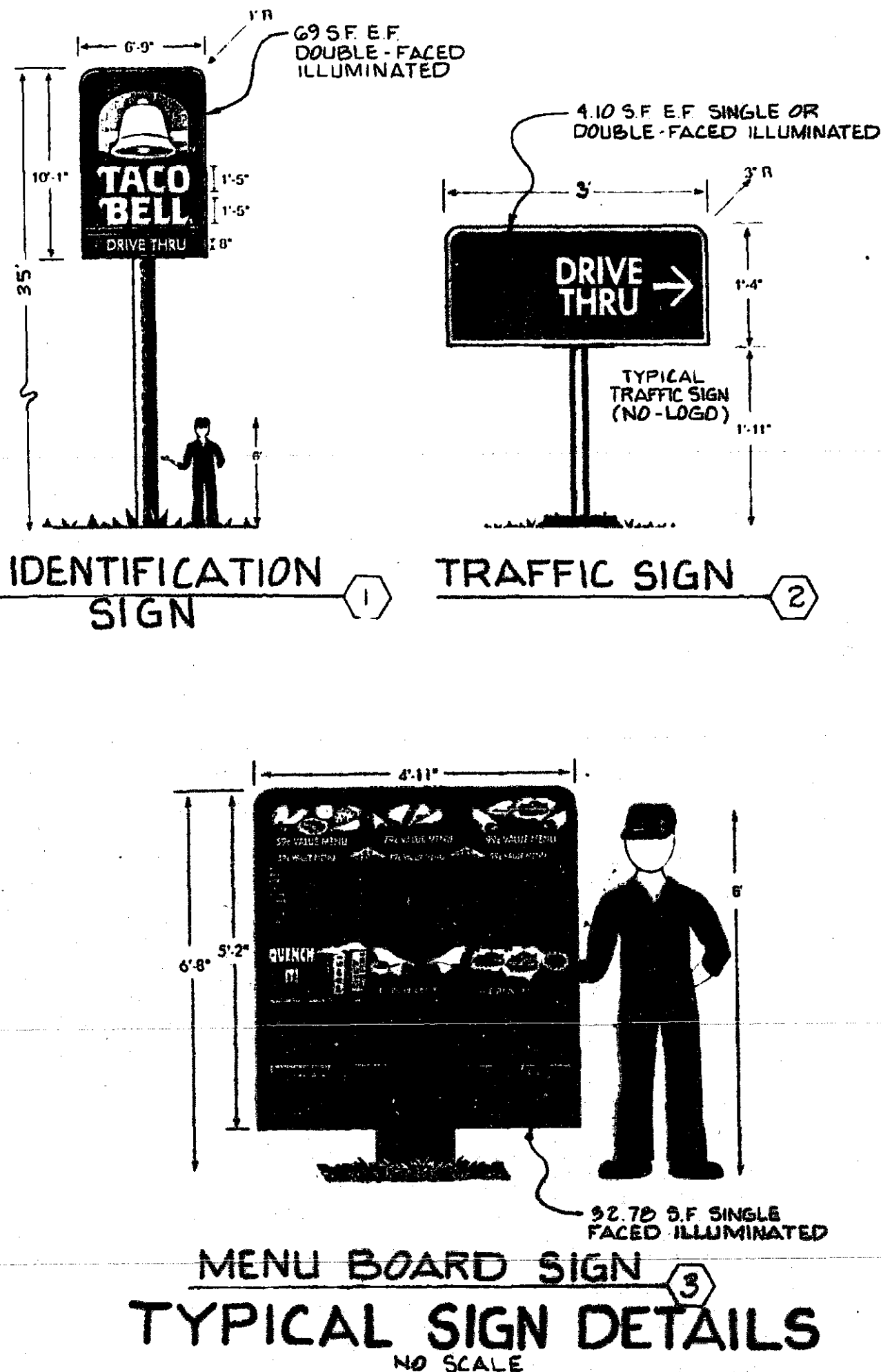
A-1

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# GENERAL NOTES

- THE LOCATION OF EXISTING UTILITIES AS SHOWN ON THIS PLAN ARE APPROXIMATE ONLY AND THE CONTRACTOR SHOULD LOCATE AND IDENTIFY ALL UTILITIES TO HIS OWN SATISFACTION PRIOR TO STARTING ANY CONSTRUCTION.
- ALL CONSTRUCTION ON SITE SHALL BE IN ACCORDANCE WITH BALTIMORE COUNTY STANDARD SPECIFICATIONS AND DETAILS FOR CONSTRUCTION DATED 1978 AS AMENDED.
- ALL DISTURBED AREAS, NOT BEING PAVED OR RECEIVING BUILDING COVERAGE, SHALL BE STABILIZED IN ACCORDANCE WITH THE APPROVED EROSION CONTROL PLAN OR LANDSCAPED AS SPECIFIED BY THE OWNER OR ARCHITECT.
- THE ON-SITE PAVING SECTIONS SHALL BE AS SPECIFIED BY THE SOILS ENGINEER OR AS SHOWN.
- ANY DAMAGE TO OFF-SITE RIGHTS OF WAY, PUBLIC ROADS OR ADJACENT PROPERTIES SHALL BE REPAIRED IMMEDIATELY AT THE CONTRACTOR'S EXPENSE.
- THE CONTRACTOR SHALL NOTIFY THE GAS AND ELECTRIC COMPANY AND CAP TELEPHONE COMPANY FIVE DAYS PRIOR TO STARTING WORK SHOWN ON THESE PLANS BY CALLING COLLECT. MISS UTILITY AT 400-257-7777.
- ALL WATERMANS SHALL HAVE A STANDARD MINIMUM COVER OF 40 FT. WITH THE EXCEPTION OF CROSSINGS WHERE MINIMUM COVER OF 30 FT. WILL BE ALLOWED, WITH A MINIMUM 0.5 FT. CLEAR OF OTHER UTILITIES.
- CONTRACTOR TO REPAIR ANY SEDIMENT CONTROL DEVICES DISTURBED AT THE END OF EACH WORKING DAY.
- ALL UTILITIES IN PAVED AREAS SHALL HAVE FULL TRENCH COMPACTION.
- ALL PROPOSED PAVING AND CURBS AND GUTTER SHALL MEET EXISTING PAVING AND EXISTING CURBS AND GUTTER FOR LINE AND GRADE.
- THE CONTRACTOR SHALL FURNISH OWNER A CERTIFICATION LETTER SIGNED AND SEALED BY A PROFESSIONAL ENGINEER STATING THAT ALL THE CONSTRUCTION WATER, SEWER AND STORM DRAIN FACILITIES HAS BEEN COMPLETED IN ACCORDANCE WITH THE CURRENT BALTIMORE COUNTY PLUMBING CODE AND STANDARD SPECIFICATIONS.
- THIS SITE WAS EXEMPTED FROM REQUIREMENTS OF A COMMUNITY MEETING, HOWEVER A LIMITED EXEMPTION PLAN FILE NO. 94-151-2 IS REQUIRED BY LETTER DATED 5-26-94.
- OWNER: STANFORD GANN TRUSTEE TAX ACCOUNT # 0112201550  
8000 PARHAM AVENUE  
BALTIMORE, MARYLAND 21230
- NO FLOOD PLAIN OR WETLANDS ARE ON THE PROPERTY.
- NO HISTORIC BUILDINGS, ARCHEOLOGICAL SITES, ENDANGERED SPECIES HABITATS, OR HAZARDOUS MATERIALS DISPOSAL SITES ARE ON THE PROPERTY.
- STORM WATER MANAGEMENT WEAVER WAS APPLIED FOR ON 8-2-94.
- SOILS TYPE: S-B AND C-B
- SITE LOCATION: ELECTION DISTRICT: 101 SCHOOL DIST: 104 JOHNNYCAKE  
COUNCILMANS DISTRICT: 101 COUNCIL TRACT: 40106  
TAX MAP 94 PARCEL: 89 ZONED: BL  
SUB-DIVISION: 89 ZONED: BL
- THERE ARE NO UNDERGROUND STORAGE TANKS OR ACTIVE WELLS ON-SITE.
- EXISTING STRUCTURE TO BE INSPECTED FOR ASBESTOS PRIOR TO RAZING.
- THERE ARE NO SLOPES 25% OR GREATER ON THIS SITE, EXCEPT AS SHOWN.
- A.D.T. FOR THIS SITE TO BE 125 TRIPS BASED ON INSTITUTE OF TRANSPORTATION ENGINEER'S DATA.
- NO LOCAL OPEN SPACE REQUIRED.
- THE HEIGHT OF ALL BUILDINGS ON THIS SITE ARE IN COMPLIANCE WITH SECTION 231 (B.C.Z.R.) E. 40' MAXIMUM HEIGHT.
- SPECIAL EXCEPTION 75-122-X WAS GRANTED ON 12-17-91  
SPECIAL HEARING 82-126-9PH WAS GRANTED ON SAME DATE  
AS AN AMENDMENT. ALL PREVIOUS ZONING DECISIONS WILL BE ABANDONED.
- NO SEPTIC SYSTEMS ON THIS SITE.
- ALL PAVING WILL BE DURABLE, DUSTLESS (BITUMINOUS CONCRETE) AND PERMANENTLY STRIPED.
- ALL EXCESS PAVING SHALL BE REMOVED FROM LANDSCAPED AREAS AND RIGHT OF WAYS (TYPICAL).
- ON SEPTEMBER 7, 1994 A ZONING VARIANCE WAS GRANTED TO PERMIT 170 TO 50 FT. OF BUSINESS SIGNS AND TO REDUCE THE PARKING SETBACK FROM A PUBLIC STREET TO 7' (CASE # 95-30-A).
- WAVNER FOR STORMWATER MANAGEMENT WAS GRANTED ON AUG 26, 1994.
- LIMITED EXEMPTION DEVELOPMENT PLAN WAS APPROVED ON 11-29-94.



**PHOENIX ENGINEERING, INC.**  
CONSULTING ENGINEERS  
817 BALDWIN DRIVE, SUITE 300  
BALTIMORE, MARYLAND 21228  
(410) 247-3837

**TACO BELL**

**PLAN TO ACCOMPANY PETITION FOR SPECIAL HEARING FOR WAVNER REQUEST**

**6200 BALTIMORE NATIONAL PIKE**  
**CATONSVILLE, MARYLAND 21228**

**REVISIONS**

NO.	DATE	DESCRIPTION
1	5-10-94	AS SHOWN

**DRAWN BY: RJW**

**CHECKED BY: RJW**

**BUILDING TYPE**

**M-70-H**

**JOB NUMBER**

**05-2437**

**DATE**

**5-10-94**

**SHEET NUMBER**

**1 OF 6**

**A-1A**

**ZADM NO. 1-428**

**DEC. 10, 1994**